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W.P.No.13607 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.03.2026

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.No.13607 of 2024

and

W.M.P.Nos.14754, 14755 & 14756 of 2024

Akhilesh Rajan Nair

... Petitioner

Vs.

1.The Union of India,
Represented by its Director (Citizenship)
Ministry of Home Affairs, Foreigners Division,
Room No.19, 2nd Floor,
Major Dhyan Chand National Stadium,
India Gate Circle,
New Delhi – 110 002.

2.The Secretary to Government,
Home Department,
Secretariat,
Fort St. George,
Chennai – 600 009.

3.The District Collector,
Collectorate Office,
Singaravelar Maligai,
62, First Line Beach,
Chennai.

... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus to call for the records of the proceedings culminating in e-mail communication dated 07.05.2024 passed by the 1st respondent and quash the same as wholly perverse and illegal and consequently to direct the 1st respondent to re-consider the application for Indian Citizenship of the petitioner herein.

For Petitioner : Mr.Sharath Chandran

For R1 : Mr.K.Ramanamurthy
Central Government Standing Counsel

For R2 and R3 : Mr.M.Rajendiran
Additional Government Pleader

ORDER

Challenging the e-mail communication of the 1st respondent, dated 07.05.2024, rejecting the application of the petitioner for Indian Citizenship and for a direction to re-consider the application of the petitioner, the present writ petition has been filed.

2.It is the case of the petitioner that he was born in Singapore on 19.02.1999. At the time of his birth, both his parents were Indian citizens.



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The petitioner lost his father in 2002. The petitioner did his schooling in K.K.Nagar, Chennai from 2003 to 2017 and he obtained his B.Com. Degree from S.R.M. Institute of Science and Technology in April, 2020, and enrolled with the Institute of Chartered Accountants of India and completed his Intermediate Examination in May, 2022. The petitioner, having completed his schooling and college education in India, applied for Indian Citizenship in 2017. The said application was returned with a direction to re-apply under Section 5(1)(f) of the Citizenship Act, 1955. This was done by the petitioner on 11.10.2019. However, the application of the petitioner has been rejected by the 1st respondent vide the impugned e-mail communication on the ground that the Singapore Passport of the petitioner had expired and that the petitioner is an illegal migrant. Aggrieved by the said order, the present writ petition has been filed.

3.Learned counsel for the petitioner would submit that, once an application for Indian Citizenship is filed, the Singapore Passport cannot be renewed as per Singapore Law. When the petitioner has submitted his application as early as in the year 2017, the petitioner cannot be blamed for the pendency of the application for almost five years and by the meantime,



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the Singapore Passport had expired in 2019. Therefore, the learned counsel prayed for setting aside of the impugned order and for appropriate orders for considering the application of the petitioner.

4.The 1st respondent has filed a counter affidavit before this Court, wherein, in Para No.22, it is stated that, as per Section 15-A of the Citizenship Act, 1955, as against any order passed under the Citizenship Act, 1955, there is a Review remedy available. Pointing out to the same, the learned Central Government Standing Counsel appearing for the 1st respondent would submit that this Court may direct the petitioner to file a Review before the authorities within a stipulated time and the same will be considered and appropriate orders will be passed by the authorities within a period of twelve weeks thereafter.

5.In view of the submissions made by the learned counsel on either side and having regard to the Review remedy available under Section 15-A of the Citizenship Act, 1955, this Court permits the petitioner to file a Review under Section 15-A of the Citizenship Act, as against the impugned order, within a period of four weeks from the date of receipt of a copy of this



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order, and the concerned authorities, on receipt of such Review Application from the petitioner, shall consider and pass orders on the same, on merits and in accordance with law, after affording an opportunity to the petitioner, within a period of twelve weeks from the date of receipt of such review application.

6. With these directions, this writ petition is disposed of. No costs.

Consequently, connected miscellaneous petitions are closed.

04.03.2026

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Internet : Yes

Index : Yes / No

Speaking order / Nonspeaking order

Neutral Citation : Yes / No

To

1. The Director (Citizenship)

Ministry of Home Affairs, Foreigners Division,

Room No.19, 2nd Floor,

Major Dhyan Chand National Stadium,

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M. DHANDAPANI, J.

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