



W.P(MD)No. 1805 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED :29.01.2026

CORAM:

THE HONOURABLE MR JUSTICE R.VIJAYAKUMAR

W.P(MD)No. 1805 of 2026

Minor. Zoya Hassan
rep. by her mother and natural guardian
Salma Irfana

... Petitioner

Vs

The Regional Passport Officer,
Regional Passport Office,
Madurai,
Bharathi Ula Veethi,
Race Course Road,
Madurai - 625 002.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondent to re-issue passport to the Minor Petitioner namely, Zoya Hassan by considering passport application in file No. MD2077491169325 dated 17.03.2025 and representation dated 16.12.2025 without insisting upon consent or signature of the father or production of court decree.



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For Petitioner : Mr. I.Abdul Basith
For Respondent : Mr.Mr.K.Govindarajan
Deputy Solicitor General of India
for M.M.Gajendran
Central Government Standing
Counsel

ORDER

The present writ petition has been filed seeking mandamus directing the respondent to issue passport to the minor petitioner, based upon the application presented by her mother on 17.03.2025 and representation dated 16.12.2025.

2. The petitioner herein was born on 28.09.2009 to Salma Irfana and Hassan Mustafa. The petitioner was issued with a passport on 01.01.2020 with date of expiry as 31.12.2024. These facts are not in dispute.

3. The petitioner's mother, namely, Salma Irfana had got divorce from her husband through customary divorce and certificate to that effect has been issued by Al-Jamiul Azhar Jumma Masjid, Kayalpatnam,



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Thoothukudi on 11.01.2015.

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4. According to the learned counsel appearing for the writ petitioner, the petitioner's mother was also issued with a passport after removing the name of her former husband. He further submits that the former husband of the writ petitioner's mother has not taken care of the child and she is in the custody of her mother, Salma Irfana. Therefore, she has made application for renewal of passport and it is kept pending insisting upon the consent of father. Therefore, this writ petition.

5. The learned Deputy Solicitor General of India appearing for the respondent submits that the respondent has to conduct a discrete enquiry. Therefore, the police official would be requested to verify the statement made by the writ petitioner in the passport application. After verification of the same, if the statement made by the petitioner is found to be true, without insisting upon the consent from the father of the petitioner, passport would be issued.

6. In view of the abovesaid facts, the respondent is directed to



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make request to the jurisdictional police station, namely, Arumuganeri Police Station, Thoothukudi District to conduct discrete enquiry to verify the veracity of the statement made by the petitioner in the passport application. In case a report is received from the police officials with regard to the veracity of the statement, the respondent is directed to proceed in accordance with law and issue passport to the writ petitioner without insisting "no objection" from the father of the petitioner. This exercise shall be completed within six (6) weeks from the date of receipt of a copy of this order.

7. With the said observations, this writ petition is disposed of. No costs.

NCS : Yes/No

29.01.2026

Index : Yes / No

Internet : Yes / No

apd

To

The Regional Passport Officer,
Regional Passport Office,
Madurai,
Bharathi Ula Veethi,
Race Course Road,
Madurai - 625 002.

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R.VIJAYAKUMAR.,J.

apd

ORDER MADE IN

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