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21709 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.06.2025

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THE HONOURABLE Mr.JUSTICE N. ANAND VENKATESH

W.P.No.21709 of 2025

J.Revathy

.. Petitioner

Vs.

1.The Government of India
Rep.by its Secretary
Ministry of external affairs
Sri Lakshmi Narain SO (DB)
74 B, South Block, Bew Delhi-110 011.

2.Regional Passport Office
Navins Presidium
No.103, Nelson Manickam Road
Aminjikarai, Chennai-600 029.

3.Inspector of Police
G 7 Chetpet Police Station
MS colony, Mukta Gardens
Chetpet, Chennai 600 031.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to issue fresh passport without insisting signature from the petitioner's husband in the name of petitioner in time bound manner.

For Petitioner : V.S.Usha Rani

For Respondents : Mr.G.Subramanian

Central Government Counsel for R1 & R2

Mr.Leonard Arul Joseph Selvam

Government Advocate (Crl.Side) for R3



21709 of 2025

ORDER

This writ petition has been filed for the issue of a writ of mandamus directing the 2nd respondent to process the application submitted by the petitioner wherein the petitioner is seeking for issuance of passport in her name.

2.Heard V.S.Usha Rani, learned counsel for the petitioner, Mr.G.Subramanian, learned Central Government Counsel for R1 & R2 and Mr.Leonard Arul Joseph Selvam, learned Government Advocate (Crl.Side) for R3.

3.The case of the petitioner is that she got married to one Mohana Krishnan in the year 2023. They had a female child born in the year 2024. There was a matrimonial dispute between the parties which resulted in the husband filing HMOP No.289 of 2025, before the Sub Court, Alandur, seeking for the dissolution of the marriage. This petition is pending.

4.The petitioner who is the wife applied for passport on 24.04.2025 before the 2nd respondent. The same was not processed and when enquired, the petitioner was informed that the petitioner must obtain the signature of her husband in Form-J and only thereafter, the application will be processed by the 2nd respondent. The 2nd respondent also took into consideration the pending dispute between the petitioner and her husband before the Sub Court in HMOP No.289 of 2025. It is under these



21709 of 2025

circumstances, the present writ petition came to be filed before this Court.

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5.The learned Government Advocate appearing on behalf of the 3rd respondent submitted that there are no criminal cases pending against the petitioner.

6.In the considered view of this Court, the application submitted by the petitioner seeking for passport has to be processed independently. It is not necessary for a wife to get the permission of her husband and take his signature before applying for a passport before the authority. This insistence made by the 2nd respondent shows the mindset of the society in treating woman who are married as if they are chattel belonging to the husband. It is quite shocking that the passport office is insisting for the permission of the husband and his signature in a particular form in order to process the application submitted by the petitioner for passport. Already the relationship between the petitioner and her husband is in doldrums and the 2nd respondent is expecting the petitioner to get the signature of the husband. Virtually, the 2nd respondent is insisting the petitioner to fulfill an impossibility.

7.The petitioner after marrying the above said Mohanakrishnan does not loose her individuality and a wife can always apply for passport without the permission or signature of the husband in any form. The practice of insisting for permission from the husband to apply for passport, does not augur well for a society which is moving

3/6



21709 of 2025

towards woman emancipation. This practise is nothing short of male supremacism.

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8. In the light of the above discussion, there shall be a direction to the 2nd respondent to process the application submitted by the petitioner and issue passport in the name of the petitioner on the petitioner satisfying the other requirements. This process shall be completed by the 2nd respondent within a period four weeks from the date of receipt of copy of the order.

9. This writ petition is disposed of with the above directions. No costs.

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Index : Yes/No
Neutral Citation : Yes/No
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6/6