

**THE HON'BLE SHRI JUSTICE ANIL KUMAR JUKANTI**

**WRIT PETITION No.13426 of 2024**

**ORDER:**

The Writ Petition is fled with the following prayer:

*“...to issue any appropriate Writ, Order or direction, preferably a writ in the nature of Mandamus declaring the action of the respondent No.2 in not issuing passport to the petitioner’s minor child Master Akram Ali Syed on the ground that the father of the child i.e., 3<sup>rd</sup> respondent has not given consent, as being arbitrary and violative of Articles 14 and 21 of the Constitution of India and consequently, direct the respondent No.2 to issue passport to the petitioner’s minor child Master Akram Ali Syed forthwith, de hors the consent of the 3<sup>rd</sup> respondent and pass such other order....”*

2. Heard Sri P.Venu Gopal, learned Senior Counsel appearing for Sri Mohd.Abdul Kareem, learned counsel for the petitioner, and learned Deputy Solicitor General appearing for respondent Nos.1 and 2.

3. It is submitted by learned Senior Counsel appearing on behalf of the petitioner that as the petitioner along with her infant child (four months old) *viz.*, Master Akram Ali

Syed has to travel abroad to seek consultation for neuro surgery to the petitioner, she made an application for issuance of passport to the said infant child and that the Regional Passport Officer by order dated 10.04.2024 has issued a communication raising the following two issues:

“1. Therefore, you are requested to furnish consent from the father along with his presence.

(Alternatively)

2. Permission from the court to issue passport to the minor child without the consent of the other parent.”

4. During the course of hearing, learned Deputy Solicitor General appearing for respondent Nos.1 and 2 has brought to the notice of this Court that in similar circumstances this Court has passed an order dated 15.04.2024 in W.P.No.9481 of 2024 and fairly submits that the passport for the infant child can be issued.

5. Having perused the order dated 15.04.2024 passed in W.P.No.9481 of 2024, this Court is of the opinion that in similar circumstances passport was directed to be issued.

6. In view of the same, this Court is not inclined to deviate from the order passed in W.P.No.9481 of 2024 since it is squarely applicable to the facts of the present case. Hence, the authorities are directed to issue passport to the petitioner's infant child *viz.*, Master Akram Ali Syed immediately, *dehors* the consent of respondent No.3.

7. The Writ Petition is accordingly disposed of. No order as to costs.

Consequently, miscellaneous petitions pending, if any, shall stand closed.

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**ANIL KUMAR JUKANTI, J**

23<sup>rd</sup> May, 2024.

**Note:** Issue CC today.  
B/o(gj/gra)

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23<sup>rd</sup> May, 2024.

gj/gra