

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
(Special Original Jurisdiction)**

**TUESDAY, THE NINTH DAY OF JUNE
TWO THOUSAND AND TWENTY SIX**

PRESENT

THE HONOURABLE SRI JUSTICE NAGESH BHEEMAPAKA

WRIT PETITION NO: 32161 OF 2024

Between:

SYED HASSAN ZARE, S/o Late Syed Jaleel Zare, aged about 52 years,
Occupation. Business, R/o. 78, Railway Colony, Diamond Point, Manovikas
Nagar, Secunderabad, T.S.,

...PETITIONER

AND

1. The Union of India, Ministry of External Affairs, Rep by its under Secretary, Major Dyan Chand National Stadium, New Delhi
2. The Union of India, Ministry of Home Affairs, Rep by its under Secretary, Major Dyan Chand National Stadium, New Delhi.
3. The State of Telangana, Rep by its Principal Secretary (Home), Secretariat Building, Hyderabad
4. The District Collector and District Magistrate, Hyderabad District Lakdikapul, Hyderabad.

Respondent no.04 impleaded as per C.O.dt.10.02.2026 in IA No.1/2026.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue appropriate Writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the 3rd respondent in insisting the petitioner to produce the letter of renunciation of petitioner's present Iranian nationality vide Letter dated 03.05.2024 as arbitrary, illegal and in violation of Articles 14 and 21 of the Constitution of India and contrary to Indian Citizenship Act, 1995 and consequently direct the respondents to Grant Indian Citizenship under section 5(1)(c) of the Citizenship Act, 1995 in the interest of justice.

I.A. NO: 1 OF 2024

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the Respondents to consider the request of the Petitioner on a compassionate ground since the Petitioner is born and brought up in Hyderabad, India and to Grant Indian Citizenship under section 5(1)(c) of the Citizenship Act, 1995, without insisting to produce the letter of renunciation of petitioner's present Iranian nationality vide Letter dated 03.05.2024 issued by the Respondent pending disposal of the above Writ Petition.

I.A. NO: 2 OF 2024

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to receive the additional material papers in W.P.No. 32161 of 2024 in the interest of justice.

**Counsel for the Petitioner: SRI. GANGAIAH NAIDU, REP
SRI. SYED NAJMUL HASSAN BAQRI**

Counsel for the Respondents 1 & 2 : Smt. N.V.R.RAJYA LAKSHMI, S.C

Counsel for the Respondent No.3 : GP FOR HOME

Counsel for the Respondent No.4: GP FOR REVENUE

The Court made the following: ORDER

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

THE HON'BLE SRI JUSTICE NAGESH BHEEMAPAKA

WRIT PETITION No. 32161 of 2024

Date: 09th June, 2026

Between:

Syed Hassan Zare, S/o Late Syed Jaleel Zare

... Petitioner

AND

The Union of India, and others

... Respondents

ORDER:

The petitioner seeks a direction to the respondent-authorities to grant him Indian citizenship under Section 5(1)(c) of the Citizenship Act, 1955, without insisting on a renunciation certificate of his present Iranian nationality.

1.1. The case of the petitioner, precisely, is that he was born on 31.12.1972 in Hyderabad, India, and has been continuously living, studying, and residing in India since birth. His mother is an Indian by birth, while his father was an Iranian national, who later died in 1991. Despite his long-standing residence in India and Indian upbringing, he was issued an Iranian passport only due to his father's nationality after his death.

1.2. The petitioner has completed his education entirely in India, including schooling and graduation from Indian institutions, and has established his life in Hyderabad. He is married to an Indian citizen and has two daughters who are also Indian passport holders. His entire family, business, and assets are based in India. The petitioner holds essential Indian identity documents such as Aadhaar, PAN, driving license, and other official records, and was even granted Overseas Citizen of India registration.

1.3. It is contended that the Government of India has already accepted his eligibility for Indian citizenship under Section 5(1)(c), subject only to two conditions, viz., (i) payment of fees (already complied with) and, (ii) submission of a renunciation certificate from Iran.

1.4. The petitioner has applied for renunciation before the Iranian Consulate, but the process is pending, and the process may take considerable time. It is his grievance that insisting on the renunciation certificate from Iran, despite his long-term residence and strong ties with India, is arbitrary, and violative of Articles 14 and 21 of the Constitution of India.

1.5. The petitioner therefore seeks a direction to the respondent authorities to grant him Indian citizenship without insisting on the renunciation certificate, or alternatively to accept his affidavit renouncing foreign nationality pending formal processing and issuance of renunciation certificate by Iran.

2. Heard Mr. Gangaiah Naidu, learned counsel representing Mr. Syed. Najmul Hassan Baqri, learned counsel on record for the petitioner, and

Mrs. N.V.R. Rajya Lakshmi, learned Standing Counsel appearing for respondents No. 1 and 2, learned Government Pleader for Home appearing for respondent No.3, and learned Government Pleader for Revenue appearing for respondent No.4. Perused the record.

3. Learned counsel for the petitioner contends that the petitioner is an Indian-origin person born and continuously residing in Hyderabad, India, having completed his entire education in India, and is married to an Indian citizen with children who are also Indian citizens, thereby establishing deep and permanent ties with India. It is submitted that the Central Government has already accepted his eligibility for registration as an Indian citizen under Section 5(1)(c) of the Citizenship Act, 1955, and issued an in-principle acceptance letter dated 03.05.2024, and the only impediment now being the insistence on production of a renunciation certificate from Iranian authorities, which is presently pending. It is contended that such insistence is arbitrary and unreasonable in the facts of the case, especially when the petitioner has already expressed his willingness to renounce foreign nationality and has applied for the same, and that denial or delay on this ground infringes his rights under Articles 14 and 21 of the Constitution of India, as in the present situation in the middle east, there is huge uncertainty in the application processing timelines, and there are inordinate delays. It is therefore contended that the authorities ought to accept the petitioner's sworn undertaking of renunciation and proceed with grant of citizenship without insisting on the formal renunciation certificate.

4. Mrs. N.V.R. Rajya Lakshmi, learned Standing Counsel, relying on the counter affidavit filed on behalf of respondent No. 2, contends that the

writ petition is not maintainable and is devoid of merit. It is contended that grant of Indian citizenship under Section 5(1)(c) of the Citizenship Act, 1955 is governed by a structured statutory procedure under the Citizenship Rules, 2009 involving processing at the District, State, and Central Government levels. It is submitted that the petitioner had applied for citizenship and was issued an in-principle Acceptance Letter dated 03.05.2024, which clearly stipulates mandatory conditions including submission of a Certificate of Renunciation of his Foreign (Iranian) nationality, along with other requisite documents. The Standing Counsel emphasizes that, under Rule 5 of the Citizenship Rules, 2009 read with Article 9 of the Constitution of India and Section 9 of the Citizenship Act, 1955, dual citizenship is impermissible, and therefore renunciation of existing foreign nationality is a *sine qua non* for grant of Indian citizenship. It is contended that the acceptance letter only assures prospective registration upon fulfilment of all conditions and does not confer any vested right to citizenship. Hence, insisting on production of the renunciation certificate is lawful and mandatory, and also necessary to prevent illegal dual citizenship, and the petitioner's claim for exemption from this requirement is contrary to statutory provisions.

5. Having considered the respective contentions and perused the record, it is to be noted that the petitioner was born in India in 1972 and had his education in India, and his mother is an Indian. The record shows that after the demise of his father in 1991, he obtained Iranian Citizenship due to urgency. He however applied for Indian Citizenship on 13.01.2021, and the 1st respondent, vide letter dated 03.05.2024, communicated to the petitioner to obtain the renunciation of present foreign nationality and upload the same online. Further, the Letter dated 03.05.2024 states that the

application of the petitioner has been accepted “in-principle”, and the petitioner is required to submit other mandatory documents for further processing as per law.

6. The granting of Indian citizenship is governed by the Citizenship Act, 1955, and the procedural framework is laid down by the Citizenship Rules, 2009. In the instant case, the relevant provision is stated to be Section 5(1)(c) of the Citizenship Act, 1955, which deals with registration of a person married to an Indian citizen and ordinarily residing in India. The citizenship application processing procedure prescribe a three-tier scrutiny system involving the District Collector, State Government, and the Central Government, along with mandatory online application requirements and prescribed undertakings (including renunciation of foreign citizenship where applicable).

7. The ground on which the petitioner seeks a direction to the respondents to process and grant him Indian Citizenship is that the process of obtaining the renunciation certificate from Iranian Embassy in India “may take considerable time”. Further, it is the specific contention of the learned counsel for the petitioner that in light of the present regional situation in the middle east, there could be inordinate delays, and further the petitioner has already complied with the norms, namely, formally submitting an application with the Consul General of Iran for renouncing his Iranian citizenship.

8. Admittedly, the petitioner is an Iranian national as of today, and he submitted a Letter dated 14.05.2024 to the Consul General of the Islamic Republic of Iran, Hyderabad, requesting issuance of a renunciation certificate. Even as per the counter affidavit filed by the respondents, the

request of the petitioner is still under process with the Iranian authorities and has not yet been completed.

9. In the light of the admitted fact that the petitioner was born in India and completed his education and has deep permanent ties with India, and further his mother, wife and children are Indian by birth, and his citizenship renunciation application dated 14.05.2024 is admittedly pending with the Iranian authorities, and also considering that based on the profile of the petitioner, an “in-principle” approval has been given by the respondent-authorities (pending final scrutiny of his application), and further considering the potential inordinate delay in processing the application dated 14.05.2024 submitted by the petitioner, due to the current regional situation, this Court is inclined to accept the request of the petitioner for processing his Indian citizenship application.

10. Further, in view of the admitted fact that the petitioner has formally applied to the Consul General of Iran, through application dated 14.05.2024, for issuance of renunciation certificate, this Court is inclined to direct the respondent-authorities to formally address a communication to the Consul General of Iran, forthwith, informing the Iran authorities about the pendency of Indian Citizenship application of the petitioner, and by referring to the petitioners application dated 14.05.2024 seeking renunciation certificate. After about six weeks thereafter, keeping in view the sworn affidavit of the petitioner before this Court, the Indian citizenship application of the petitioner shall be processed by the respondent-authorities, and the authorities shall formally communicate the same to the Consul General of Iran, informing the Iranian authorities about the granting of Indian citizenship to the petitioner.

11. Accordingly, the writ petition is disposed of, with the above direction. No costs. It is made clear that the directions issued by this Court in this writ petition to process the petitioner's Indian citizenship application, is solely considering the peculiar facts and circumstances of the petitioner's case and also considering the delay in processing the renunciation application dated 14.05.2024 and potential further delays due to the current regional situation in Iran specifically; and the directions issued by this Court cannot be taken as a precedent. Miscellaneous petitions pending, if any, shall stand closed.

**SD/-A.V.S. PRASAD
DEPUTY REGISTRAR**

//TRUE COPY//



SECTION OFFICER

To,

1. The Secretary, Union of India, Ministry of External Affairs, Major Dyan Chand National Stadium, New Delhi
2. The Secretary, Union of India, Ministry of Home Affairs, Major Dyan Chand National Stadium, New Delhi.
3. The Principal Secretary (Home), Secretariat Building, State of Telangana, Hyderabad
4. The District Collector and District Magistrate, Hyderabad District Lakdikapul, Hyderabad.
5. One CC to SRI. SYED NAJMUL HASSAN BAQRI Advocate [OPUC]
6. One CC to N.V.R.RAJYALAKSHMI, ADVOCATE [OPUC]
7. Two CCs to GP FOR REVENUE, High Court for the State of Telangana at Hyderabad. [OUT]
8. Two CCs to GP FOR HOME , High Court for the State of Telangana at Hyderabad. [OUT]
9. Two CD Copies

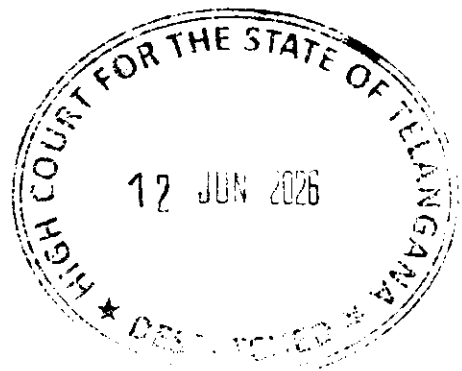

BS

HIGH COURT

DATED: 09/06/2026

ORDER

WP.No.32161 of 2024



DISPOSING THE WRIT PETITION

WITHOUT COSTS

(13) MT
12/6/26