



2025:KER:30414

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE GOPINATH P.

MONDAY, THE 7TH DAY OF APRIL 2025 / 17TH CHAITHRA, 1947

WP(C) NO. 7107 OF 2025

PETITIONER:

**SUFEERA,
AGED 37 YEARS
S/O. ABBAS, VALIYAKATH HOUSE, P.O. KAIPAMANGALAM,
THRISSUR DIST., PIN - 680681**

**BY ADVS.
M.SHAJU PURUSHOTHAMAN
K.S.RAJESH
AJAYAKUMAR K.G.**

RESPONDENT/S:

- 1 UNION OF INDIA,
 REPRESENTED BY THE SECRETARY, MINISTRY OF EXTERNAL
 AFFAIRS, SOUTH BLOCK, CENTRAL SECRETARIAT, NEW DELHI,
 INDIA, PIN - 110004**

- 2 THE PASSPORT ISSUING AUTHORITY,
 REGIONAL PASSPORT OFFICE, KOCHI, PIN - 682036**

- SRI.C.DINESH (DSGI INCHARGE)**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
07.04.2025, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**



JUDGMENT

The petitioner has approached this Court being aggrieved by the fact that the 2nd respondent is insisting for a divorce decree in order to indicate the marital status of the petitioner as 'Divorced' in her passport. It is the case of the petitioner that she was divorced by pronouncement of Talaq more than a decade ago and, as per the personal law applicable to the petitioner, the same constitutes a valid divorce. It is submitted that the 2nd respondent cannot insist for a decree of divorce ignoring the personal law applicable to the parties.

2. The learned Deputy Solicitor General of India appearing for the respondents would submit that if the petitioner were to produce a declaration in such form and manner as may be prescribed by the 2nd respondent, the passport application of the petitioner can be processed in accordance with the terms of the declaration. In other words, it is submitted that the petitioner were to file a declaration, that she has been legally divorced from her husband in such form and manner as may be required by the 2nd respondent, the steps for re-issue of the passport of the petitioner can be taken also taking note of such declaration.

3. Having heard the learned counsel for the petitioner



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and the Deputy Solicitor General of India (in charge) appearing for the respondents, this Writ Petition will stand disposed of directing that if the petitioner were to submit a declaration in such form and manner as may be required by the 2nd respondent, declaring that she has been divorced in accordance with the law and produces any document in support of the same before the 2nd respondent, the passport application of the petitioner shall be processed taking note of such declaration and in accordance with the law.

This Writ Petition is thus disposed of.

sd/-

GOPINATH P .
JUDGE

Nsd



APPENDIX OF WP(C) 7107/2025

PETITIONER EXHIBITS

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| Exhibit P1 | THE TRUE COPY OF THE PASSPORT OF THE
PETITIONER DT. 24.2.2016 |
| Exhibit P 2 | THE TRUE COPY OF THE TALAQ CERTIFICATE ISSUED
BY THE PUTHENPALLY MAHALLU COMMITTEE
SECRETARY,KAIPAMANGALAM DT. 28.10.2016 |
| Exhibit P3 | THE TRUE COPY OF THE PASSPORT APPLICATION
FORM DT.23.1.25 |
| Exhibit P4 | THE TRUE COPY OF THE ONLINE APPLICATION
RECEIPT CONTAINING THE ENDORSEMENT BY THE
PASSPORT AUTHORITY DT.23.1.25 |