



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 1ST DAY OF APRIL, 2026

BEFORE

THE HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM

WRIT PETITION NO. 8072 OF 2026 (GM-PASS)

BETWEEN:

OMISHA MARAR
D/O AJAY MARAR.
AGED ABOUT 16 YEARS,
SINCE MINOR,
REPRESENTED BY HER MOTHER
BIVRA MARAR.,
AGED ABOUT 43 YEARS,
RESIDING AT NO.31, 1ST FLOOR,
1ST CROSS, XAVIER LAYOUT, YG PALYA,
BANGALORE- 560047.

...PETITIONER

(BY SRI. MANOJ.K., ADVOCATE FOR
SRI. MAHABALESHWAR CHITRIGEMATH., ADVOCATE)

AND:

PASSPORT AUTHORITY OF INDIA
REPRESENTED BY,
REGIONAL PASSPORT OFFICER
80 FEET ROAD, 8TH BLOCK, KORAMANGALA,
BANGALORE- 560095.

...RESPONDENT

(BY SMT. SWAMINI GANESH MOHANAMBAL., CGC)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF
THE CONSTITUTION OF INDIA PRAYING TO DIRECTING THE





RESPONDENT TO CONSIDER THE APPLICATION FILED FOR RENEWAL OF PASSPORT WITHOUT THE SIGNATURE OF THE FATHER OF PETITIONER.

THIS PETITION, COMING ON FOR PRELIMINARY HEARING, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM

ORAL ORDER

The facts leading to the filing of the present writ petition, as borne out from the pleadings and records, are that the marriage between the petitioner's parents was solemnized on 20.08.2005 and, owing to irreconcilable marital discord, the parties mutually agreed to dissolve their marriage in M.C. No.635/2025. In terms of the compromise arrived at between the parties, the marriage stands dissolved by a decree of divorce and the permanent custody of the minor petitioner, aged about 16 years, has been entrusted to the mother – Smt. Bivra Marar. The father, while consenting to the said arrangement, has reserved only limited visitation rights, to be exercised in a



manner that does not interfere with the education and welfare of the minor child.

2. The petitioner is presently studying in 10th standard at Bishop Cotton Girls' School, Bengaluru, and is an accomplished international Taekwondo athlete who has represented the country in several international competitions and secured laurels. The petitioner has now been selected to represent India in an international Taekwondo event scheduled to be held in China and, in furtherance of the same, has applied for renewal of her passport. However, the grievance of the petitioner is that the respondent-Passport Authorities are insisting upon the consent/signature of the father as a mandatory requirement for processing the application.

3. Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the respondent-Passport Authority. Perused the material on record.



4. The controversy in the present case lies in a narrow compass, but is intertwined with peculiar facts concerning the welfare and future prospects of a minor child. The records unequivocally indicate that pursuant to a lawful compromise decree, the custody of the minor petitioner has been granted to the mother, who is presently the natural guardian in actual care and control of the child. The father has not only consented to such custody arrangement but has also agreed to exercise only visitation rights, which are limited in nature and subject to the convenience, education and overall welfare of the minor petitioner.

5. It is also not in dispute that the petitioner is a meritorious sportsperson who has already represented the nation at international fora in Taekwondo and continues to pursue excellence in the said field. The opportunity now extended to the petitioner to participate in an international Taekwondo event in China is a significant milestone in her



sporting career and has a direct bearing on her future prospects.

6. The learned counsel appearing for the respondent–Authority would contend that in the absence of the father’s signature, the application for renewal of passport cannot be processed, placing reliance on Clause (4) of the Form prescribed under Annexure-D. It is submitted that such compliance is mandatory and the authority is bound by the procedural requirements stipulated therein.

7. This Court, however, on a careful consideration of the facts and circumstances of the case, is unable to accept the said contention in its rigid form. It is relevant to note that the petitioner’s mother has made bona fide and diligent efforts to communicate with the father, who is presently residing in the United States of America, by informing him through email about the petitioner’s selection to represent India in the international Taekwondo



event in China and seeking his consent for the purpose of passport renewal. Despite such intimation, the father has neither responded nor raised any objection.

8. In the considered view of this Court, when the father, despite being duly informed, has chosen to remain non-responsive, the minor petitioner cannot be made to suffer on account of such inaction. The insistence on the father's signature, in the peculiar facts of the present case, would amount to adopting a hyper-technical approach, which would defeat the larger interest of the minor child.

9. The paramount consideration in matters concerning minors is their welfare, development and best interests. The petitioner, at a young and impressionable age, has already demonstrated exceptional talent in sports and has earned the opportunity to represent the country at an international level. Denial of passport renewal on technical grounds would not only impede her immediate



participation in the scheduled event but would also have a demoralising effect on her growth as an athlete.

10. This Court is also of the view that permitting the petitioner to travel abroad for a limited duration of one week to participate in an international sporting event would, in no manner, prejudice or dilute the father's visitation rights, which remain intact and enforceable in accordance with the terms of the compromise decree. The father's rights, being in the nature of visitation, cannot override the legitimate aspirations and opportunities available to the minor child, particularly when such opportunities contribute to her holistic development and bring recognition to the nation.

11. In the aforesaid backdrop, this Court is satisfied that the present case warrants exercise of extraordinary jurisdiction under Article 226 of the Constitution of India. The respondent-Authorities, in the peculiar facts and circumstances of the case, cannot insist upon the consent



or signature of the father as a precondition for renewal of the petitioner's passport. Such insistence would be contrary to the welfare of the minor child and detrimental to her right to participate in an sporting event representing the country.

12. For the foregoing reasons, this Court proceeds to pass the following:

ORDER

- i. The Writ Petition is ***allowed in part.***
- ii. The petitioner's mother shall furnish all requisite documents as per Annexure-C within a period of three working days. She shall also file an affidavit declaring that the minor petitioner's travel shall be confined solely to participation in the international Taekwondo event scheduled in April 2026, along with complete particulars of the said event.



- iii. Upon receipt of the said documents and affidavit, the respondent-Passport Authority shall process the application and renew the passport of the petitioner forthwith, without insisting upon the consent or signature of the father, so as to enable the petitioner to participate in the international Taekwondo event to be held in China.

SD/-
(SACHIN SHANKAR MAGADUM)
JUDGE

AMM
List No.: 1 Sl No.: 2