

**IN THE HIGH COURT OF KARNATAKA AT BENGALURU**

**DATED THIS THE 31<sup>ST</sup> DAY OF MARCH, 2022**

**PRESENT**

**THE HON'BLE MR. RITU RAJ AWASTHI, CHIEF JUSTICE**

**AND**

**THE HON'BLE MR.JUSTICE S.R.KRISHNA KUMAR**

**WRIT PETITION NO.1030 OF 2020 (GM-RES-PIL)**

BETWEEN:

FAHEEM AHMED

... PETITIONER

(BY SRI MOHAMMED TAHIR, ADVOCATE)

AND:

1. UNION OF INDIA  
BY ITS CABINET SECRETARY.
  2. REGISTRAR GENERAL OF CITIZEN REGISTRATION OF INDIA  
MINISTRY OF HOME AFFAIRS,  
GOVERNMENT OF INDIA.
  3. MINISTRY OF HOME AFFAIRS,  
BY UNION HOME SECRETARY.
- RESPONDENT NO.1 -3 REPRESENTED BY  
SOLICITOR GENERAL OF INDIA,  
OFFICE AT HIGH COURT COMPLEX,  
OPP. TO VIDHANA SOUDHA,  
BANGALORE-560 001.

... RESPONDENTS

(BY SRI SHANTHI BHUSHAN H., ADDITIONAL SOLICITOR GENERAL)

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THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO DECLARE THE ARBITRARY POWER OF LOCAL REGISTRAR OF VERIFYING AND SCRUTINY THE DATE TO REST THE CITIZENSHIP OF AN INDIVIDUAL AND CONSEQUENTLY TO DECLARE HIM A DOUBTFUL CITIZEN AND CALL FOR THE PROOF AS PROVIDED UNDER SUB RULE(3) AND (4) OF THE RULE 4 OF THE CITIZENSHIP (REGISTRATION OF CITIZEN AND ISSUE OF NATIONAL IDENTITY CARDS) RULES, 2003 AS ULTRA VIRES AND ETC.

THIS PETITION COMING ON FOR PRELIMINARY HEARING, THIS DAY, **CHIEF JUSTICE**, MADE THE FOLLOWING:

**ORDER**

Registry is directed to print the name of Sri. Shanthi Bhushan H., Additional Solicitor General as the learned counsel for the respondents.

In this Public Interest Litigation, the petitioner has sought for the following reliefs:

1. *Declare the arbitrary power of Local Registrar of verifying and scrutiny the data to test the citizenship of an individual and consequently to declare him a doubtful citizen and call for the proof as provided under sub rule (3) and (4) of the rule 4 of Citizenship (Registration of Citizen and issue of National Identity Cards) Rules 2003 as ultra vires.*
2. *Pass any other order which this Hon'ble Court deems fit by considering the facts of this Court, in the interest of justice and equity.*

2. Heard learned counsel for the petitioner, learned counsel for the respondents and perused the material on record.

3. Having regard to the fact that the issue involved in the present petition is drawing the attention of the Apex Court and the decision of the Apex Court would determine the relief claimed in the Writ Petition. As such,

there is no need for us to adjudicate the matter. The petition is accordingly **dismissed**.

It is needless to observe that the petitioner is at liberty to raise the issue after the decision of the Apex Court.

**SD/-  
CHIEF JUSTICE**

**SD/-  
JUDGE**

BMC