



2026:AHC-LKO:20922-DB

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

WRIT - C No. - 561 of 2026

Maha Bodhi Society Of India Thru. Auth.
Representative Bhante Gyanalok

.....Petitioner(s)

Versus

Union Of India Thru. Secy. Ministry Of Home
Affairs And 5 Others

.....Respondent(s)

Counsel for Petitioner(s)	: Anupam Mehrotra, Anil Kumar Yadav
Counsel for Respondent(s)	: A.S.G.I., Abhishek Mishra, Arti Ganguly, C.S.C., Hemant Kumar Mishra

Court No. - 3

**HON'BLE SHEKHAR B. SARAF, J.
HON'BLE INDRAJEET SHUKLA, J.**

1. Instructions filed today in Court by the Central Government are taken on record.
2. Application for dismissal of the writ petition alongwith short counter affidavit filed today in Court by the respondent No.6 is also taken on record.
3. Heard learned counsel appearing on behalf of the petitioner, Sri S.B. Pandey, learned Senior Advocate & DSGI, assisted by Sri Varun Pandey, learned counsel appearing on behalf of the respondents No.1 & 5, learned Standing Counsel appearing on behalf of the respondents No.2 to 4 and Sri Abhishek Mishra, learned counsel appearing on behalf of the respondent No.6.
4. This is a writ petition under Article 226 of the Constitution of India, wherein the writ petitioner has made the following main prayers:-

"(1) issue a writ, order or direction in the nature of mandamus commanding the respondent no.1 to immediately take action on the information provided by the petitioner by means of the application dated 1.12.2025 (Annexure No.23, Writ Petition), preceded by the applications dated 28.1.2025 and 17.6.2025 (Annexure No.21 and 22, Writ Petition), so as to, at the earliest,

deprive the respondent no.6 (a previous national of China and now a citizen of India by naturalisation) of the citizenship of India on the ground of obtaining the certificate of naturalisation (Annexure No.3, Writ Petition) by fraud, false representation and the concealment of material facts within the meaning of S.10(2)(a) of the Citizenship Act, 1955, in view of which, as per S.10(3) of the said Act of 1955, the continuation of the respondent no.6 as a citizen of India is not conducive to public good;

(2) issue a writ, order or direction in the nature of mandamus commanding the respondents other than the respondent no.1 and all the other concerned instrumentalities of State to act in the aid of the respondent no.1 in taking action as prayed for vide prayer no.1 above."

5. It appears from the averments made in the writ petition that the respondent No.6 has allegedly obtained citizenship by naturalization by means of fraud. With regard to the same, the petitioner has made a complaint before the Secretary, Department of Home. The petitioner prays that action be taken against the respondent No.6 as per Section 10 of the Citizenship Act, 1955 that is a self contained code providing for the entire procedure for depriving a person from citizenship. The rules made under the said section are Rules 25, 26 and 27 of the Citizenship Rules, 2009.

6. Learned Deputy Solicitor General of India appearing on behalf of the Central Government has submitted that he has received instructions that it would be appropriate for the petitioner to make an application before the Collector, who would thereafter forward a report to the State Government, which would, in turn, be forwarded to the Central Government for action.

7. Upon perusal of the relevant sections and the rules, we are of the view that the application made by the petitioner is required to be entertained and action should be undertaken by the authorities, in accordance with law. If the application has material, it would be incumbent upon the Central Government to initiate an inquiry as provided under Section 10 of the Citizenship Act, 1955. On the other hand, if no material is present in the application made by the petitioner, the Central Government may pass an order of rejection supported by appropriate reasons.

8. In light of the same, we direct the Central Government to act in accordance with law and pass a reasoned order upon the application made by the petitioner within a period of four weeks from date.

9. In the event the Central Government chooses to initiate an inquiry, it is needless to mention that they shall follow the procedure provided under Rules 25, 26 and 27 of the Citizenship Rules, 2009 and give notice to the respondent No.6 as per law.

10. With the above direction, the writ petition is **disposed of**.

11. We make it clear that we have not gone into the merits of the case.

March 24, 2026

cks/-

(Indrajeet Shukla,J.) (Shekhar B. Saraf,J.)