



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 1ST DAY OF JULY, 2026

BEFORE

THE HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

WRIT PETITION NO. 2562 OF 2024 (GM-RES)

BETWEEN:

1. MR. ANURAG SETH,
AGED 30 YEARS,
S/O SANJAY SETH,
R/A FLAT NO.201,
R.S. RESIDENCY, 2ND CROSS,
JAYARAMA REDDY LAYOUT,
KASAVANAHALLI,
BANGALORE-560035.

...PETITIONER

(BY MS. V. MRUDULA, ADVOCATE)

AND:

Digitally signed
by SHWETHA
RAGHAVENDRA
Location: HIGH
COURT OF
KARNATAKA

1. UNION OF INDIA,
REPRESENTED BY
THE MINISTRY OF HOME AFFAIRS,
SOUTH BLOCK, "E" BLOCK,
CENTRAL SECRETARIAT,
NEW DELHI-110001.
2. BUREAU OF IMMIGRATION
HEAD OFFICE AT:
EAST BLOCK-VIII, LEVEL-V
SECTOR-1,
RK PURAM,



NEW DELHI-110066
AND ITS REGIONAL OFFICE AT:
5TH FLOOR, "A" BLOCK ,TTMC,
BMTc BUS STAND BUILDING
KH ROAD,
BANGALORE-560027.
REPRESENTED BY THE COMMISSIONER.

...RESPONDENTS

(BY SRI. SHANTHI BHUSHAN, DSGI FOR

SRI. UMESH P.B., ADVOCATE FOR R1 AND R2)

THIS WP IS FILED UNDER ARTICLE 226 OF THE
CONSTITUTION OF INDIA PRAYING TO 1) DIRECT R2 TO
STRIKE OFF THE TRAVEL RESTRICTION IMPOSED ON THE
PETITIONER WHICH WAS INTIMATED TO HIM VIDE EMAIL
DATED 27/09/2023 AND 11/12/2023 PER ANNEXURE-H AND R
RESPECTIVELY AND ETC.

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

CORAM: HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

ORAL ORDER

1. The petitioner is before this Court seeking for the
following reliefs:

"1. Issue a Writ of Mandamus against Respondent No.2
thereby directing Respondent No.2 to strike off the



travel restriction imposed on the Petitioner which was intimated to him vide email dated 27/09/2023 and 11/12/2023 per Annexure "H" and Annexure "R" respectively.

2. Issue a Writ of Mandamus against Respondent No.1 and 2 thereby directing them to allow to the Petitioner to travel abroad without any restrictions or hindrance whatsoever.
3. Issue any other suitable writ/s/order/s/direction/s which this Hon'ble Court may deem just and necessary in the facts and circumstances of the case may also be passed."

2. The petitioner is an Indian citizen, aged about 30 years when the petition was filed in the year 2024 and is gainfully employed. The petitioner wanting to travel abroad was informed that he could not so travel on account of a Look Out Circular which had been issued in his name and as regard to his passport, the passport number has been mentioned. It is only upon such information was so received when he was not permitted to board a flight.
3. The petitioner on enquiry, came to know that in a matrimonial dispute between his father and mother, proceedings had been filed by the father against the mother under the apprehension that the mother would



remove the minor children from the jurisdiction of the Court ceased of the matter. The Principal Judge Family Court, Indore, Madhya Pradesh, vide its order dated 17.03.2006 had passed an interlocutory order that till the final disposal of the petition, the respondent i.e., the mother is restrained from taking the minor children abroad without the consent of the Court and not to send them abroad through any other person. It is on the basis of the said order that a Look Out Circular had been issued way back in the year 2006, which continues to be in force even as on today.

4. The petitioner is a major and as of now, he is aged about 32 years. A major person cannot be said to be in custody of either the father or the mother, nor subject to the matrimonial litigation between the father and mother. The petitioner being a major, has an independent right and is an independent person who can assert his rights in the manner provided under law. One of such rights being the fundamental right to travel under Article 21 of the Constitution of India. The said restriction on account of a



custody battle during the minority, cannot subsist and continue once the petitioner has become a major. The petitioner having attained majority nearly 14 years ago, the Look Out Circular ought to have been recalled/cancelled on the attainment of majority. Since the order passed by the Principal Judge, Family Court came to an end and it has spent itself on the petitioner having attained majority as indicated *supra*, the petitioner could not be subject to any custody battle between the mother and the father.

5. The interlocutory order passed in the custody battle and the aspect of travel of the petitioner on attaining majority cannot be conflated. They stand on completely distinct footing. The petitioner unfortunately though on attaining majority 14 years ago has been unable to travel due to a Look Out Circular issued by the respondent in the year 2006, which has spent itself 14 years ago.
6. On coming to know of the said order, the petitioner had approached the aforesaid Court and it was brought to the



notice of the Principal Judge, Family Court that the petitioner has attained majority and it is in that background that the Principal Judge, Family Court vide order dated 17.10.2023 observed that both the minors have become adults and they were aged 30 and 25 years respectively. There being no necessity for appointment of their guardian any more, the applicant-father was discharged from protection custody of the minor and the original application came to be disposed. Thus, assuming that the Look Out Circular issued was valid and in furtherance of the orders passed by the Principal Judge, Family Court, Indore, post 17.10.2023 when the proceedings itself were disposed, there was no requirement to continue the Look out Circular. Though there can be no fault found at that time not to cancel the Look Out Circular, once it was brought to the notice of the respondents, it was required of the respondents to cancel the Look Out Circular. The same not having been done, I am of the considered opinion that the claim of the petitioner would have to succeed and necessary orders



would be passed in favour of the petitioner. As such, this Court passes the following:

ORDER

- [I] The petition is allowed; and
- [II] A *Mandamus* is issued directing respondent No.2 to strike off the travel restrictions and Look Out Circular issued in respect to the petitioner within a period of one (1) week from the date of receipt of a copy of this order.
- [III] It is made clear that the petitioner could travel abroad by complying with the applicable formalities and there being no other embargo on the petitioner to travel abroad.

**Sd/-
(SURAJ GOVINDARAJ)
JUDGE**