



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 29TH DAY OF JUNE, 2026

BEFORE

THE HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

WRIT PETITION NO. 14413 OF 2026 (GM-FA)

BETWEEN:

GHOMSI GUIFFO STEVE BEROLE
S/O GUIFFO THEODORE
AGED ABOUT 23 YEARS
R/AT HOUSE NO. 2, NO 14,
KALAPVARSHA, BANJARA LAYOUT,
HORAMAVU, KR PURAM,
BANASWADI, BANGALORE- 560043.

...PETITIONER

(BY SRI. SANTOSHRAJ C DESHAMUKH., ADVOCATE)

AND:

1. UNION OF INDIA
THROUGH ITS SECRETARY
MINISTRY OF EXTERNAL AFFAIRS
OFFICE AT
SOUTH BLOCK, RAISINA HILL,
NEW DELHI, INDIA, 110001.
2. FOREIGNERS REGIONAL REGISTRATION OFFICE (FRRO)
REPRESENTED BY
FOREIGNERS REGIONAL REGISTRATION OFFICER
OFFICE AT
5TH FLOOR, A, BLOCK,
TTMC BMTC BUS STAND BUILDING,
KENGAL HANUMANTHAIAH RD,
NGO COLONY, SHANTI NAGAR,
BENGALURU, KARNATAKA 560027

...RESPONDENTS

(BY SRI. ARAVIND KAMATH., ASGI A/W
SMT. SWAMINI GANESH MOHANAMBAL., CGC FOR R1 & R2)

Digitally signed
by SHWETHA
RAGHAVENDRA

Location: HIGH
COURT OF
KARNATAKA



THIS WRIT PETITION IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE A WRIT OF CERTIORARI OR ANY OTHER WRIT, ORDER OR DIRECTION QUASHING THE IMPUGNED LEAVE INDIA NOTICE DATED 05.02.2026 BEARING NO. 03/FRRO/BIO(BLR)/F1/LIN/2026-04 PRODUCED AS ANNEX-A ISSUED BY THE R2 AND ETC.

THIS WRIT PETITION, COMING ON FOR PRELIMINARY HEARING IN '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:

(i) Issue writ of Certiorari or any other writ, order or direction Quashing the impugned Leave India Notice dated 05/02/2026, bearing No 03/FRRO/BOI(BLR)/F1/LIN/2026-24 produced as Annexure A issued by the Respondent No 2.

(ii) To grant such other order/s as this Hon'ble Court deems fit to grant in the circumstances of the case and in the interest of justice and equity.

2. The grievance of the petitioner is that a Leave India Notice [LIN] has been issued by the Foreigners Regional Registration Officer [FRRO], Bengaluru, without providing a reason for issuance of such LIN.
3. Sri.Arvind Kamath, learned Additional Advocate General of India would submit that a notice had been



issued to the petitioner on 5.02.2026 which was replied to by the respondent on 13.02.2026 and it is subsequent thereto the impugned memorandum was issued on 30.03.2026. His submission is that the principles of natural justice to the extent permissible and possible have been complied with by the respondent. He relies upon the decision of this court in **MR. CHRISTOPHER CHARLES KAMOLINS -vs- UNION OF INDIA AND OTHERS** [W.P. No.26412/2019 dated 9.02.2026] more particularly para 17.17 to 17.23, thereof which are reproduced hereunder for easy reference:

17.17. *In matters of immigration control, closely connected with sovereignty and public order, Parliament has not prescribed a mandatory adjudicatory hearing prior to issuance of an order under Section 3(2)(c). In Hans Muller, the Hon'ble Supreme Court did not read such a requirement into the statute.*

17.18. *Where power is preventive and regulatory, particularly concerning non-citizens, fairness may be satisfied through contextual safeguards, including availability of post-decisional representation and judicial review under Article 226. The existence of constitutional oversight serves as a significant check against abuse.*

17.19. *The action must also withstand scrutiny under Article 14. In Shayara Bano v. Union of India, the Hon'ble*



Supreme Court recognized "manifest arbitrariness" as a ground of invalidation. Manifest arbitrariness denotes capriciousness, irrationality, absence of determining principle, or bad faith.

17.20. *The Leave India Notice in the present case is traceable to statutory authority, issued by a competent delegate, and aligned with the legislative scheme. There is no material suggesting mala fides, discrimination, or extraneous considerations. The action does not cross the threshold of manifest arbitrariness.*

17.21. *Deportation is universally recognised as an incident of national sovereignty. Visa permission does not confer an irrevocable right to remain; it remains subordinate to statutory power of removal.*

17.22. *Viewed cumulatively, under statutory construction, constitutional doctrine, proportionality analysis, contextual natural justice, and Article 14 review, the Petitioner's contention cannot be sustained.*

17.23. *The Leave India Notice is not an indirect cancellation of the visa. It is a direct exercise of statutory authority under Section 3(2)(c) of the Foreigners Act, 1946. The visa does not create an indefeasible right to remain immune from that power. Articles 14 and 21 are not violated, and Article 19 is inapplicable.*

4. The right to visa and entry into the country having been considered in the above decision, there is no vested right in any individual to continue to stay in the country and it is for the FRRO to issue a Leave India Notice. This aspect having considered in the above matter, same would be equally applicable for the present matter.



5. No grounds being made out, the petition stands
dismissed.

SD/-
(SURAJ GOVINDARAJ)
JUDGE

LN
List No.: 1 Sl No.: 77