

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.12.2016

CORAM:

THE HON'BLE MR. JUSTICE P.N. PRAKASH

W.P. No.26940 of 2015 & M.P. No.1 of 2015

Dr.S.Brathiba

... Petitioner

Vs.

1.The Chief Immigration Officer
No.26 Sastri Bhavan
Haddows Road
Nungambakkam
Chennai 600 006

2.The Deputy Commissioner of Police
Adyar
Chennai

3.The Inspector of Police
J-1, Saidapet Police Station,
Chennai 15.
(Cr. No.3752 of 2012)

4.Dr. N. Sethuraman ... Respondents
(R4 is impleaded as per Order dated
18.11.2015 by RPSJ in M.P.2 of 2015
in W.P.26940 of 2015)

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus forbearing the respondents from interfering with the petitioner from travelling to abroad / USA by means of any circular or order.

For petitioner : Mr. B. Kumar, Senior Counsel
for Mr. K. Thilageswaran

For R1 : Mr. T.V. Krishnamachari

For RR 2 & 3 : Mr. Jayaprakash Narayanan
Special Government Pleader

For R4 : Mr. Subramaniam, Sr. Counsel
for Mr. S. Punniyakotti

ORDER

This writ petition has been filed seeking a writ of mandamus forbearing the respondents from interfering with the petitioner from travelling to abroad / USA by means of any circular.

2. Today, Mr. K. Vijayakumar, Inspector of Police, J-1, Saidapet Police Station is present.

3. It is seen that in CrI.O.P. No.21407 of 2015, this Court, by order dated 26.08.2015, had directed the respondent police not to withdraw the look out notice that has been issued for apprehending Dr. S. Brathiba from leaving India. Despite that, it is seen that Dr. S. Brathiba had left India for the US.

4. Mr. B. Kumar, learned Senior Counsel representing the learned counsel-on-record for Dr. S. Brathiba submitted that Dr. S. Brathiba is in the US and further sought leave of this Court to withdraw this writ petition as the prayer has become infructuous in view of the fact that Dr. S. Brathiba has left India for the US. The learned counsel-on-record for Dr. S. Brathiba has also made an endorsement seeking withdrawal of the writ petition.

5. It is also seen that Dr. N. Sethuraman, the fourth respondent herein, has filed a contempt application in Contempt Petition No.1919 of 2015 against Dr.S. Brathiba and Ramesh for allegedly violating the order dated 26.08.2015 passed by this Court in CrI.O.P. 21407 of 2015 and leaving India for the US. The said contempt petition is still pending.

Be that as it may, recording the aforesaid submission made by the learned Senior Counsel appearing for the petitioner and the endorsement made by the learned counsel-on-record for the petitioner, this writ petition is dismissed as withdrawn. Costs made easy. Connected M.P. is closed.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

cad

To

1.The Chief Immigration Officer
No.26 Sastri Bhavan
Haddows Road
Nungambakkam
Chennai 600 006

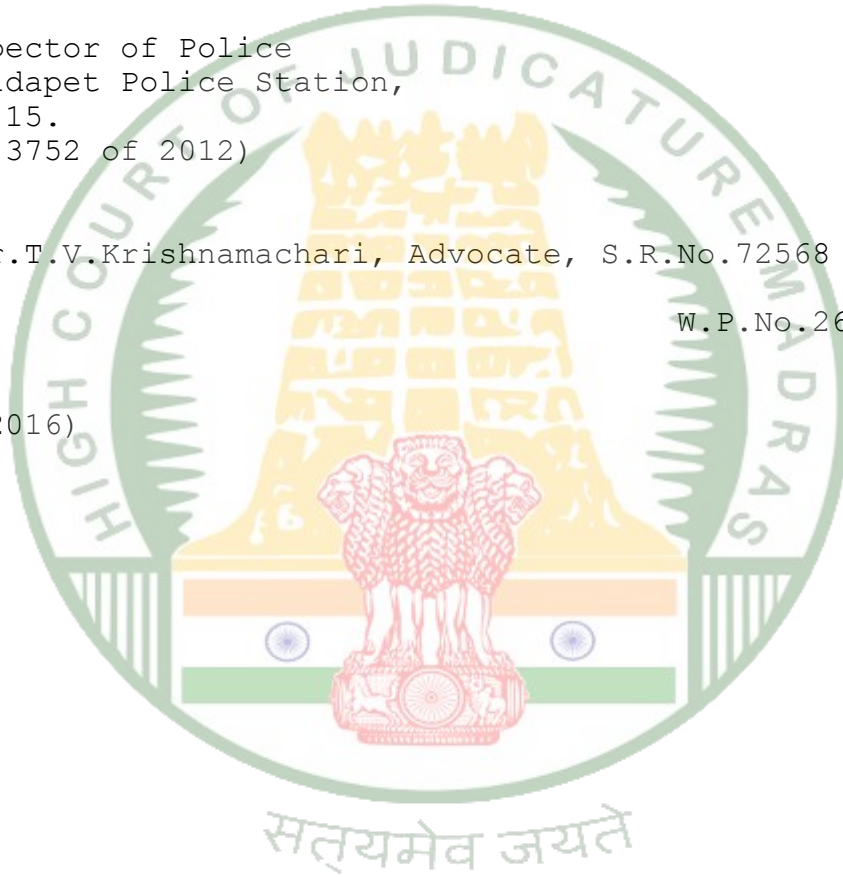
2.The Deputy Commissioner of Police
Adyar
Chennai

3.The Inspector of Police
J-1, Saidapet Police Station,
Chennai 15.
(Cr. No.3752 of 2012)

+1cc to Mr.T.V.Krishnamachari, Advocate, S.R.No.72568

W.P.No.26940 of 2015

NR I(CO)
CA(30/12/2016)



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