



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 23.12.2016

CORAM:

THE HON'BLE MR.JUSTICE G.CHOCKALINGAM

W.P(MD) No.23156 of 2016

and

WMP(MD)No.16627 of 2016

A.Eanas Ali

... Petitioner

-vs-

1.The Foreigners Regional Registration Officer, (FRRO)
No.26, Shastri Bhawan,
Annexe Building 26,
Haddows Road,
Nungambakkam,
Chennai0600 006.

2.The FRRO/Superintendent of Police,
Nagerkoil,
Kanyakumari.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for the issuance of Writ of Mandamus, to direct the 1st respondent to consider the petitioner's application, dated 27.11.2016 and to extend the petitioner's visa enabling her to stay at India till she get the Indian Citizenship.

For Petitioner : Mr.V.Rajiv Rufus
For Respondents : Mr.K.P.Krishnadoss
Government Advocate

O R D E R

The writ petition has been filed for issuance of a Writ of Mandamus, directing the 1st respondent to consider the petitioner's application, dated 27.11.2016 and to extend the petitioner's visa enabling her to stay at India, till she gets the Indian Citizenship.

2.The learned counsel appearing for the petitioner would submit the petitioner is a Maldives citizen and she fell in love with one T.Bethar Hazil, who is the Indian Citizen and subsequently, she came to India along with the said T.Bethur Hazil, on 30.08.2016 on her own wish through tourism visa and and they got married on 14.09.2016 at Al-Majthur Rahman Jumma Pallivasal, Palayankottai, Tirunelveli, as per Islamic customs and rights and now, the petitioner is staying with her husband in India. The petitioner sent application along with all the documents on 08.11.2016 and subsequently, on 27.11.2016 seeking extension of visa. Since, it is kept pending without any consideration before the respondents, the petitioner has



approached this court by way of this writ petition.

3.The learned Government Advocate appearing for the respondents would submit that since the petitioner is staying after the expiry of the tourism visa, she is not entitled for any relief. Therefore, the petition is liable to be dismissed.

4.Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents and perused the materials available on record.

5.It is seen from that records that the petitioner is permitted to stay in India on tourism visa and there was no specific time limit fixed for stay of the petitioner in India. Further, it is seen from the records that there is no specific period mentioned in the tourism visa to stay in India.

6.It is admitted on the side of the respondents that the marriage between the petitioner and T.Bethur Hazil was solemnized on 14.09.2016 at Al-Majthur Rahman Jumaa Pallivassal, Palayankottai, Tirunelveli and the petitioner applied for extension of visa, on 27.11.2016. In view of the above circumstances, this court is of the considered view that it is appropriate to give a suitable direction to the 1st respondent to consider the application of the petitioner, dated 27.11.2016.

7.In fine, this petition is allowed with a direction to the respondents to consider the representation of the petitioner, dated 27.11.2016 and pass appropriate orders, purely on merits and in accordance with law, within a period of four weeks from the date of receipt of the order copy. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/

Assistant Registrar(AE)

/True Copy/

Sub Assistant Registrar.

To:

- 1.The Foreigners Regional Registration Officer, (FRRO)
No.26, Shastri Bhawan, Annexe Building 26,
Haddows Road, Nungambakkam, Chennai 0600 006.
 - 2.The FRRO/Superintendent of Police, Nagerkoil,
 - 3.The Government Advocate, Madurai Bench of Madras High Court,
Madurai.
- +1CC to M/S.V.Rajiv Rufus, Advocate, SR.No. 83217
+1CC to the Special Government Pleader, SR.No. 83478

W.P (MD) No.23156 of 2016

23.12.2016