



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.03.2018

CORAM :

THE HONOURABLE MR.JUSTICE P.RAJAMANICKAM

W.P (MD) No.3807 of 2018

S.M.T.Arulanthu

... Petitioner

Vs.

1.The Chief Immigration Officer,
Bureau of Immigration,
Ministry of Home Affairs,
Government of India,
Shastri Bhawan,
Chennai.

2.The Home Secretary,
Ministry of Home Affairs,
Union of India,
New Delhi.

3.The Secretary to Government,
Ministry of External Affairs,
Union of India,
New Delhi.

4.The Consulate General of India,
7002, 3E, 64th Street,
New York, NY 10065,
United States.

5.The Superintendent of Police,
Office of the Superintendent of Police,
Ramanathapuram District.

6.The Inspector of Police,
Paramakudi Town Police Station,
Ramanathapuram District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the 5th respondent to issue "Lookout Circular" in Crime No.255 of 2017 on the file of the 6th respondent to secure the 1st accused Sahayam, S/o.James (Passport No.H6826746).

For Petitioner
For R1 to R4

: Mr.T.Lenin Kumar
: Mr.V.Kathirvelu,
Additional Solicitor General
Assisted by
Mr.C.Nandagopal,
Central Govt. Standing Counsel



For R5 and R6

: Mr.M.Shanmuga Selvam
Additional Government Pleader

O R D E R

This petition has been filed by the defacto complainant to direct the fifth respondent to issue "Lookout Circular" in Cr.No.255 of 2017 on the file of the sixth respondent to secure the first accused namely Sahayam, S/o.James (Passport No.H6826746).

2.The learned counsel for the petitioner has submitted that the petitioner is the President of Parakavakula Udaiyargal Association, Paramakudi and he is having a business partner by name James. His son Sahayam is working as a Software Engineer in Deloittee Software Company, New York, United States of America. There was a misunderstanding between the James and his son Sahayam. As a friend of James, the petitioner tried to pacify the issue between them. But the said Sahayam misunderstood that the petitioner is acting in favour of James and started to send defamatory messages to the petitioner from the month of February, 2017 onwards through Face Book and Whatsapp. Apart from that, the said Sahayam was sending such defamatory words, obscene words, degraded slogans to the petitioner's friends and relatives to tarnish the petitioner's image and hence, the petitioner has lodged a complaint before the sixth respondent and based on the said complaint, the case was registered in Cr.No.255 of 2017 for the offences punishable under Sections 292, 294(b), 506(ii) of IPC and Section 67 of Information Technology Act, 2000.

3.He further submitted that the sixth respondent did not take any action to arrest the said Sahayam and hence, the petitioner has sent a representation to all the respondents, dated 16.02.2018 requesting them to issue Lookout Circular against the said Sahayam, but, so far no action has been taken.

4.The learned Additional Solicitor General appearing for the respondents 1 to 4 has submitted that it is for the fifth respondent to consider the petitioner's representation and pass appropriate orders.

5.The learned Government Advocate appearing for the respondents 5 & 6 has submitted that the representation of the petitioner is under consideration before the fifth respondent.

6.Considering the aforesaid submission, the fifth respondent is directed to consider the petitioner's representation, dated 16.02.2018 and pass appropriate orders on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order and also inform the result of the same to the petitioner.



7. With the aforesaid observation, the writ petition is disposed of. No costs.

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/True Copy/

Sd/-

Assistant Registrar (C.O)

Sub-Assistant Registrar

To

1. The Chief Immigration Officer,
Bureau of Immigration,
Ministry of Home Affairs,
Government of India,
Shastri Bhawan,
Chennai.
2. The Home Secretary,
Ministry of Home Affairs,
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6. The Inspector of Police,
Paramakudi Town Police Station,
Ramanathapuram District.

+One cc to Mr. T. Lenin Kumar, Advocate, SR.No.52699
+One cc to Mr. C. Nandagopal, Advocate, SR.No.53226
+One cc to The Special Government Pleader, SR.No.53035

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RL/10C/3P/RSK/SAR2/20/3/2018

<https://hcservices.ecourts.gov.in/hcservices/>

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