



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.08.2018

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P.(MD) No.11578 of 2018

and

W.M.P.(MD).Nos.10540 and 10541 of 2018

WEB COPY

P.Navanida

... Petitioner

vs.

1.The Union of India,

Represented by its Secretary,
Ministry of External Affairs,
Consular, (Passport and Visa Division),
6, Patiala House Annexe, Tilak Marg,
New Delhi.

2.The High Commission of Sri Lanka,

Represented by its High Commissioner,
No.27, Kautilya Marg, Chanakyapuri,
New Delhi 110 021, India.

3.The Assistant High Commissioner of India,

Office of the Assistant High Commissioner of India,
No.31, Rajapihilla, Mawatha, Kandy 20000,
Srilanka.

4.The Deputy High Commission of the Democratic Socialist

Republic of Sri Lanka,
Represented by its Deputy High Commissioner,
56, Sterling Road, Nungambakkam,
Chennai 600 034.

5.The District Collector,

Colloectorate,
Virudhunagar District.

6.The Superintendent of Police,

Office of the Superintendent of Police,
Virudhunagar District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to extend the Visa of the petitioner (Passport No.N3805030) as a special circumstance by considering the representation made by the petitioner dated 27.05.2018 within the time stipulated by this Court.



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For Petitioner : Mr.I.Pinaygash
For R-1 to R-3 : Ms.S.Ragaventhre
Central Government Standing Counsel

For R-4 : No appearance

For R-5 and R-6 : Mr.N.Shanmugaselvam
Additional Government Pleader

O R D E R

Heard Mr.I.Pinaygash, learned counsel appearing for the petitioner and Ms.S.Ragaventhre, learned Central Government Standing Counsel appearing for the respondents 1 to 3, and Mr.N.Shanmugaselvam, learned Additional Government Pleader appearing for the respondents 5 and 6.

2.It is the grievance of the petitioner that her representation dated 27.05.2018, seeking for extend the Visa of the petitioner (Passport No.N3805030), has not been considered by the respondents till date and therefore, she has filed the present writ petition.

3.This Court has not expressed any of its view with regard to the merits of the representation made by the petitioner. It is needless to point out that whenever a representation of this nature is made, the respondents are duty bound to consider the same in one way or the other. Non-consideration of the same would amount to dereliction of ordinary duties of their office and as such, this Court would be justified in invoking its powers conferred under Article 226 of the Constitution of India to direct them to consider the petitioner's representation within a stipulated time.

4. In view of the limited prayer sought for in this writ petition, there shall be a direction to the 6th respondent to consider the petitioner's representation dated 27.05.2018, on its own merits and take further action in accordance with law, within a period of two weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed in all the issues with regard to the merit of the representation.

5. With the above direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (Writs)

/True Copy/



To:

1. The Secretary,
The Union of India,
Ministry of External Affairs,
Consular, (Passport and Visa Division),
6, Patiala House Annexe, Tilak Marg,
New Delhi.
2. The High Commissioner,
The High Commission of Sri Lanka,
No.27, Kautilya Marg, Chanakyapuri,
New Delhi 110 021, India.
3. The Assistant High Commissioner of India,
Office of the Assistant High Commissioner of India,
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The Deputy High Commission of the Democratic Socialist
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Colloectorate,
Virudhunagar District.
6. The Superintendent of Police,
Office of the Superintendent of Police,
Virudhunagar District.

+1CC TO MR.I.PINAYGASH ADVOCATE IN SR.No.76731.

SJI

DS SKN SAR-1;05.09.2018; 3P/8C

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