



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.06.2018

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P. (MD) No.11642 of 2018

Thasir Khan

... Petitioner

Vs.

1. The Chief Immigration Officer,
Immigration Department,
Trichy Airport,
Trichy.

2. The Inspector of Police,
O/o. Oomatchikulam Police Station,
Madurai District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus directing the respondents to permit the petitioner to go to Malaysia for his health check up for a period of 15 days.

For Petitioner	: Mr.S.M.A.Jinnah
For Respondents	: Mr.M.Karuppasamy Government Advocate

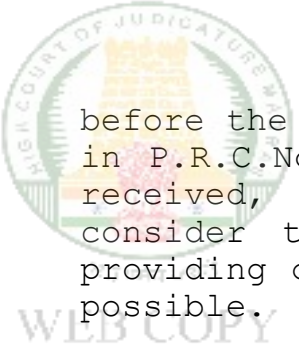
ORDER

The writ petition is filed for issuance of a Writ of Mandamus directing the respondents to permit the petitioner to go to Malaysia for his health check up for a period of 15 days.

2. After arguing for some time, the learned counsel appearing for the petitioner restricted the relief of the petitioner to the extent that it is suffice to grant direction to the learned Judicial Magistrate No.V, Madurai to consider the application of the petitioner in accordance with law. The learned counsel for the petitioner also relying upon the decision of this Court in W.P.(MD). No.19375 of 2014, dated 06.03.2015.

3. The learned Government Advocate appearing for the respondents would submit that if the petitioner approach the learned Judicial Magistrate No.V, Madurai to seek his remedy and file an application before the learned Judicial Magistrate No.V, Madurai and the same is permissible under Law, the learned Judicial Magistrate No.V, Madurai shall consider the same, after providing opportunity to the respondents.

4. In the light of the submissions made by both the parties, this Court, without expressing any opinion on the merits of the matter, liberty is granted to the petitioner to file an application



before the learned Judicial Magistrate No.V, Madurai, if so advised, in P.R.C.No.47 of 2017. In the event of such application has been received, the learned Judicial Magistrate No.V, Madurai shall consider the same on merits and in accordance with law, after providing opportunity to the parties concerned, as expeditiously as possible.

5. This writ petition is disposed of with the above direction. No costs.

Sd/-
Assistant Registrar (W)

/True Copy/

Sub Assistant Registrar

To

1. The Chief Immigration Officer,
Immigration Department,
Trichy Airport,
Trichy.
2. The Inspector of Police,
O/o. Oomatchikulam Police Station,
Madurai District.
3. The Judicial Magistrate No.V,
Madurai.

+1CC to Mr.S.M.A.Jinnah, Advocate, SR.No.67537
+1CC to the Special Government Pleader SR.No.67611

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