



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 24.04.2018

CORAM :

THE HONOURABLE MR.JUSTICE C.T.SELVAM

And

THE HONOURABLE MR.JUSTICE A.M.BASHEER AHAMED

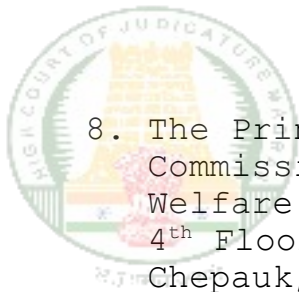
H.C.P. (MD) No.1211 of 2017

Lakshmi

... Petitioner

Vs.

1. The Union of India Rep.by
The Principal Secretary,
Ministry of External Affairs,
Union of India,
E.Block, Central Secretariat,
New Delhi.
2. The Principal Secretary,
Ministry of Overseas Indian Affairs,
Union of India,
Jaisalmer House,
Mansingh Road,
New Delhi 110 011.
3. The State of Tamil Nadu,
Rep.by the Principal Secretary,
Home Department,
State of Tamil Nadu,
Fort St.George, Chennai.
4. The Superintendent of Police,
Virudhunagar District,
Virudhunagar.
5. The Inspector of Police,
South Police Station,
Rajapalayam,
Virudhunagar District.
6. Kathirvel Pandian
7. The Regional Passport Authority,
Regional Passport Office,
Bharathi Ula Street,
Race Course Road,
Madurai.



8. The Principal Secretary,
Commissioner of Rehabilitation and
Welfare of Non Resident Tamils,
4th Floor, Ezhilagam Annex Building,
Chepauk, Chennai.

9. Bureau of Immigration,
Rep.by its Commissioner,
Ministry of Home Affairs,
Government of India,
East Block VIII, Level - V, Sector 1,
R.K.Puram, New Delhi - 66.

... Respondents

*(R7 to R9 are impleaded as per order,
dated 07.02.2018.)

Prayer: Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Habeas Corpus, directing the respondents 1 to 6 herein to find out Mr.C.Ramamoorthy S/o.Chellaiah, aged 38 years, who is the petitioner's son and produce him before this Court and set him at liberty.

For Petitioner	: M/s.Lakshmi Gopinathan
For Respondents (R1,2, 7 & 9)	: Mr.N.Shanmuga Selvam
For Respondents (R3 to R5)	: Mr.K.Dinesh Babu, APP
For Respondent-6	: Mr.A.Balaji

ORDER

(Order of the Court was passed by C.T.SELVAM, J.)

The present is a case where the missing person has not been heard of by petitioner and others likely to have acquaintance or knowledge of his whereabouts beyond a period of 7 years, attracting the presumption under Section 108 of Evidence Act. All efforts by respondents to trace the missing person have proved futile. Hence, this Habeas Corpus Petition shall stand closed. It is open to the petitioner to approach the revenue authorities or civil Court for obtaining such document / certificate as may be necessary towards informing the death of detainee C.Ramamoorthy, S/o.S.Chelliah, and obtaining legal heirship certificate etc.

Sd/-
Assistant Registrar (RTI)

/True Copy/



To

1. The Principal Secretary,
Ministry of External Affairs,
Union of India, E.Block, Central Secretariat,
New Delhi.
2. The Principal Secretary,
Ministry of Overseas Indian Affairs,
Union of India, Jaisalmer House,
Mansingh Road, New Delhi 110 011.
3. The Principal Secretary,
The State of Tamil Nadu,
Home Department, State of Tamil Nadu,
Fort St.George, Chennai.
4. The Superintendent of Police,
Virudhunagar District, Virudhunagar.
5. The Inspector of Police,
South Police Station, Rajapalayam,
Virudhunagar District.
6. The Regional Passport Authority,
Regional Passport Office, Bharathi Ula Street,
Race Course Road, Madurai.
7. The Principal Secretary,
Commissioner of Rehabilitation and
Welfare of Non Resident Tamils,
4th Floor, Ezhilagam Annex Building,
Chepauk, Chennai.
8. The Commissioner
Bureau of Immigration,
Ministry of Home Affairs,
Government of India,
East Block VIII, Level - V, Sector 1,
R.K.Puram, New Delhi - 66.

+1CC to Mr.N.SHANMUGA SELVAM, Advocate, SR.No.63455

+1CC to M/S.POLAX LEGAL SOLUTIONS, Advocate, SR.No.63529

H.C.P. (MD) No.1211 of 2017
24.04.2018

MPK

ES/SKN/RSK/SAR 3/02.08.2018/3P/11C