

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.11.2019

CORAM

THE HONOURABLE MR. JUSTICE V.BHARATHIDASAN

W.P. 22147 of 2015

K.Dhanam

... Petitioner

Versus

1. The Union Secretary to Government,
Ministry of Home Affairs,
North Block,
Central Secretariat,
New Delhi-110 001.
2. The Union Secretary to Government,
The Ministry of External Affairs,
New Delhi-110 001.
3. The Russian Embassy,
2, Bhagwan Das Road,
Connaught Place,
New Delhi.
4. The Principal Secretary,
Home Department,
Government of Tamil Nadu,
Secretariat,
Chennai-600 009.

... 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 consider the representation dated 25.05.2015 to trace the petitioner's son whereabouts and let her know the exact status and provide detail of petitioner's son namely Mr.Puthalai Magesh Kumar.

For Petitioner : Mr.V.P.Sengottuvel

For Respondents : Mr.T.L.Thirumalaisamy,
Central Govt. Standing Counsel
for R1 & R2

No appearance for R3

Mr.R.Govindasamy,
Special Govt. Pleader for R4

O R D E R

This Writ Petition has been filed seeking a direction to the respondents to find out the whereabouts of the petitioner's son by name Mr.Puthalai Magesh Kumar.

2. According to the petitioner, her elder son Puthalai Magesh Kumar left the country in the year 1995 for Moscow for doing his medical course in an University at Russia. Upto the year 1999, her son was in contact with his father. Thereafter, there is no communication from the petitioner's son and they are unable to contact him. Till date, the whereabouts of her son was not known to the petitioner. Therefore, the petitioner has made a representation to respondents 1 and 2 to take steps to find out the whereabouts of petitioner's son, but it was not considered by the respondents. Hence, this Writ Petition has been filed by the petitioner.

3. Earlier, notice ordered to the respondents. Today, when the matter came up for hearing, the learned Standing Counsel appearing for the respondents 1 and 2 produced a letter sent by Under Secretary (Consular), Ministry of External Affairs, stating that, on 16.09.1999, the missing boy submitted his visa back to the Dean's office, but he did not return. Thereafter, on 18.10.2000, the passport and visa department of Foreign Students Faculty, RSMU submitted an application to local immigration office with a request for deportation of the said boy from the Russian Federation. There is no further information about him after that. Thereafter, the Ministry of External Affairs, New Delhi, has sought the latest status on the case from Indian Embassy in Moscow on 16.08.2019, for which, they have received a letter from Indian Embassy in Moscow informing that, in October 2000, the department of Visas and Registration of South Western Administrative District of Moscow initiated the search procedures for him. At present, his whereabouts are not established. However, Embassy of India in Moscow is being advised to further pursue the matter with Ministry of Foreign

Affairs seeking updates on the whereabouts of the missing boy.

4. Considering the fact that the respondents are taking effective steps through Indian Embassy, despite that, the whereabouts of the missing boy could not be found. In the said circumstances, the 1st and 2nd respondents are directed to pursue the matter further and take effective steps to find out the whereabouts of missing boy.

5. With the above direction, the present Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar(CS-III)

//True Copy//

Sub Assistant Registrar

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To

1. The Union Secretary to Government,
Ministry of Home Affairs,
North Block,
Central Secretariat,
New Delhi-110 001.
2. The Union Secretary to Government,
The Ministry of External Affairs,
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2, Bhagwan Das Road,
Connaught Place,
New Delhi.
4. The Principal Secretary,
Home Department,
Government of Tamil Nadu,
Secretariat,
Chennai-600 009.

+2cc to Mr.V.P.Sengottuvel, Advocate SR.92915

W.P. 22147 of 2015

MR(CO)
CB(13/12/2019)