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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.03.2019

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THE HONOURABLE MR.JUSTICE N.SESHASAYEE

W.P.(MD)No.7184 of 2019

Ravishankar ... Petitioner

Vs.

1.The Superintendent of Police,
O/o. The Superintendent of Police,
Dindigul, Dindigul District.

2.The Sub-Inspector of Police,
Chinnalapatti Police Station,
Athur Taluk, Dindigul District.

3.The Inspector of Police,
HUDCO Police Station,
Hosur & Taluk, Krishnagiri District. ... Respondents

PRAYER:- Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus, to direct the respondents 1 and 2 to issue No Objection Certificate immediately for the purpose of getting L1B Visa to USA for employment in Black Burn Inc, California at United States of America.

For Petitioner : Mr.K.Balasundharam
For Respondents : Mrs.S.Bharathi
Government Advocate

O R D E R

This Writ Petition is filed to direct the respondents 1 and 2 to issue "No Objection Certificate" immediately for the purpose of getting L1B Visa to USA for employment in Black Burn Inc, California at United States of America.

2.The learned counsel appearing for the petitioner submits that originally a case was registered against the petitioner in Crime No.92 of 2011. But, later, action on such case was dropped on the ground that the allegation made in the First Information Report was referred as "Mistake of fact". In the online, the status of the case, as provided in page No.3 of the typed set of papers, only shows that the matter is "referred".

3.The learned counsel appearing for the petitioner further submits the word "referred" is expressed by the Police normally employed for every cases, where action is dropped on a pending complaint / First Information Report on the grounds including one

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for "mistake of fact". However, the dictionary meaning of the word "Referred" does not reconcile with the usage which the Police normally put on the word "referred ".

4.The learned Government Advocate substantially concurred with the predicament of the petitioner.

5.This Court now directs the first respondent to issue such necessary Certificate which may convey the idea that **the petitioner is not involved in any criminal case whatsoever, provided, there are no pending criminal cases against him.** Such exercise shall be completed within a period of two weeks from the date of receipt of a copy of this order.

6.In view of the above, the Writ Petition stands disposed of. No costs.

Sd/-
Assistant Registrar(Crl.Side)

/True Copy/

Sub Assistant Registrar(CS-III)

To

1.The Superintendent of Police,
O/o. The Superintendent of Police,
Dindigul, Dindigul District.

2.The Sub-Inspector of Police,
Chinnalapatti Police Station,
Athur Taluk, Dindigul District.

3.The Inspector of Police,
HUDCO Police Station,
Hosur & Taluk, Krishnagiri District.

+1cc to Mr.K.Balasundharam, Advocate, SR.No.57054

Order made in
W.P.(MD)No.7184 of 2019
27.03.2019

SP/28.03.2019/ 2P/5C

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