

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 21.02.2020

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THE HONOURABLE MR. JUSTICE C.V.KARTHIKEYAN

W.P.No.4444 of 2020
and
W.M.P.No.5260 of 2020

Nargis Banu

... Petitioner

..Vs..

1.The Chief Immigration Officer,
Bureau of Immigration,
Ministry of Home Affairs,
Government of India,
Shastri Bhavan, Haddows Road,
Nungambakam,
Chennai-600 006.

2.The Home Secretary,
Ministry of Home Affairs,
Union of India, New Delhi.

3.The Secretary to Government,
Ministry of External Affairs,
Union of India, New Delhi.

4.Foreigners Regional Registration Office,
(FRRO CHENNAI)
Haddows Road, Subba Road Avenue,
Nungambakkam, Chennai-600 006.

.. Respondents

PRAYER : Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the fourth respondent to issue to the petitioner a copy of the LOC order and the details pertaining to "Black listing" issued as against Mr.Mohamed Sadaqathullah Basheer Ali the husband of the petitioner herein as requested in the letter dated 22.01.2020.

For Petitioner : Mr.D.Ferdinand
For Respondents: Mrs.Sunitha Kumari

ORDER

Mrs.Sunitha Kumari, learned counsel takes notice for the respondents. By consent of the parties, the main writ petition is taken up for final disposal at the admission stage itself.

2. The petitioner has filed the present Writ Petition for issuance of a Writ of Mandamus, directing the fourth respondent namely Foreigners Regional Registration Office, (FRRO Chennai), to give a copy of the Look Out Circular order and the details relevant to "Black listing" issued as against the husband of the petitioner namely Mr.Mohamed Sadaqathullah Basheer Ali, as requested in the letter dated 22.01.2020.

3.On an earlier occasion, this Court had the advantage of examining the averments made in W.P.No.30326 of 2019 filed by the very same petitioner namely Nargis Banu. This writ petition has also been filed by her on behalf of her husband namely Mr.Mohamed Sadaqathullah Basheer Ali. W.P.No.30326 of 2019 had been filed for directing the immigration authorities to refrain from preventing the petitioner's husband Mr.Mohammed Sadaqathullah Basheer Ali holding British passport No.560595309 from entering into India. A relevant paragraph is extracted hereunder:-

"5.It is the grievance of the learned counsel for the petitioner that the order of blacklisting the husband of the petitioner from entering into the country had not been communicated to the petitioner. Thereafter, she had sent several letters. But the respondents have not given any order in writing. However, the learned counsel for the respondents stated that it has been informed to the husband of the petitioner and it is further stated that the said fact was also affirmed by the petitioner in the affidavit."

4. The learned counsel appearing for the petitioner would submit that there is a Look Out Circular pending against the petitioner's husband namely Mohamed Sadaqathullah Basheer Ali that he has been "Black Listed". Therefore in the representation, information has been sought as to what is mentioned on the Look Out Circular order.

5.Heard both sides and perused the materials available on record.

6. Without expressing any opinion on the merits of the

case, a mandamus is issued to the fourth respondent to give a copy of the Look Out Circular order issued as against the petitioner and also to give reasons for restricting his entering into the country. Compliance of the said Mandamus should be done on or before 30.03.2020.

7. With the above directions, the Writ Petition stands disposed of. No costs. Consequently, connected Miscellaneous petition is closed.

Sd/-

Asst. Registrar (CCC)

/true copy/

Sub Asst. Registrar

tta

To

1. The Chief Immigration Officer,
Bureau of Immigration,
Ministry of Home Affairs,
Government of India,
Shastri Bhavan, Haddows Road,
Nungambakam,
Chennai-600 006.

2. The Home Secretary,
Ministry of Home Affairs,
Union of India, New Delhi.

3. The Secretary to Government,
Ministry of External Affairs,
Union of India, New Delhi.

4. Foreigners Regional Registration Office,
(FRRO CHENNAI)
Haddows Road, Subba Road Avenue,
Nungambakkam, Chennai-600 006.

+1 cc to M/s. BFS Legal Advocate sr14976

+1 cc to M/s. Sunitakumari advocate sr18077 dt 02/03/2020

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