



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.07.2021

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA
and
THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

W.A.No.576 of 2016 and CMP.No.7628/2016

K.Maiyyan

... Appellant

Vs

1.The Regional Passport Officer, Royala Towers
158, Anna Salai, Chennai-600 002.

2.The Immigration Officer,
Bureau of Immigration, Shastri Bhavan,
26, Haddows Road, Nungambakkam,
Madras-600 006.

3.The Visa Officer, Office of the
U.S.Consulate General,
Anna Salai, Chennai-600 006.

4.Prasad Kailasam

...Respondents

Prayer : Writ appeals filed under Clause 15 of the Letters Patent against the order dated 07.03.2016 made in W.P.No.7376 of 2015 by this Court.

Prayer in WP No.7376 of 2021 : Petition filed under Article 226 of the Constitution of India praying for a Writ of Mandamus directing the respondents 1 to 3 to take appropriate action against the 4th respondent under the Passport Act and under the Immigration Law, so as to cancel the Passport and Visa granted to the 4th respondent under Passport No.F2367353 in File No.600437/2005 dated 05.04.2005 by recalling the 4th respondent from the United States of America by passing suitable orders on the petitioner representation dated 15.2.2015

For Appellant : No appearance

For respondents : No appearance



JUDGMENT

(Judgment of the Court was pronounced by T.RAJA.J)

This Writ Appeal has been directed against the impugned order dated 07.03.2016 made in W.P.No.7376 of 2015 by a learned Single Judge of this Court.

2. The Appellant herein filed the Writ Petition seeking to issue a Writ of Mandamus, directing the respondents 1 and 3 to take appropriate action against the 4th respondent, under the Passport Act and also under the Immigration Law so as to cancel the Passport and visa granted to the 4th respondent under Passport No.F2367353 in File No.6004387/2005 dated 05.04.2005 by recalling the 4th respondent from the United States of America thereby passing suitable orders on the petitioner's representation dated 15.02.2015. This prayer was refused by the learned Single Judge and after the dismissal of the said Writ Petition, the present Writ Appeal has been filed by the Writ Petitioner/appellant herein.

3. When the writ appeal was called to-day, there was no representation on either side.

4. Further, on a perusal of the case records, it appears that the learned Single Judge has dismissed the request of the writ petitioner/appellant to consider his representation dated 15.02.2015 and to pass appropriate orders against the 4th respondent herein under the Passport Act and the Immigration Law and to cancel the passport and visa granted to him, by elaborately dealing with the matter holding that mere direction to consider one's representation will result in adverse consequences and it will give rise to renewing a stale, untenable or dead claim. Therefore, we find no infirmity in the said order of the learned Single Judge. However, since there was no representation on behalf of the appellant, it shows that he is not interested in prosecuting the present Writ Appeal.

5. In view of the above, the Writ Appeal is dismissed for non-prosecution. No costs. Consequently, connected Miscellaneous Petition is also closed.

Sd/-

Assistant Registrar(CS-VI)

//True Copy//

Sub Assistant Registrar

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To

1.The Regional Passport Officer,
158, Anna Salai, Chennai-600 002.

2.The Immigration Officer,
Bureau of Immigration, Shastri Bhavan,
26, Haddows Road, Nungambakkam,
Madras-600 006.

3.The Visa Officer, Office of the
U.S.Consulate General,
Anna Salai, Chennai-600 006.

W.A.No.576/2016

SR-II(CO)
RVM(17/08/2021)