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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.02.2022

CORAM :

THE HON'BLE MR.MUNISHWAR NATH BHANDARI,
ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

C.M.P.NO.1492 OF 2022

IN

W.A.NO.SR8869 OF 2022

Susi Ganesan

... Petitioner

.Vs.

1. Leena Manimekalai

2. The Regional Passport Officer
Chennai Royala Towers No.2 & 3
IV Floor, Old No.785, New No.158,
Anna Salai, Chennai - 600 002.

... Respondents

PRAYER:-

C.M.P.No.1492 of 2022 filed under Section 151 of Civil Procedure Code seeking to grant leave to the petitioner to file an appeal; and

(ii) W.A.SR.No.8869 of 2022 filed under Clause 15 of the Letters Patent against the order dated 03.12.2021 in W.P.No.20411 of 2021.

PRAYER IN W.P.NO.20411 OF 2021:-

Writ Petition filed under Article 226 of the Constitution of India praying to call for the records of the Respondent and quash the order dated 09.09.2021 bearing the Letter Reference No.IMP/311192857/21.

For Petitioner : Mr.Elambharathi
For Mr.VR.Shanmuganathan

For Cavetor : Mr.V.S.Senthil Kumar
For R1



The trial shall be completed expeditiously, preferably, within four months from date of communication of this order.

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In the event the Trial Court feels the necessity to have the presence of the respondent, summons/notice shall be issued with reasonable time notice and in the event, the presence of the respondent does not appear necessary, steps may be taken, in accordance with law."

6. The directions quoted above show that an observation has been made about the presence of the accused as she was represented by counsel. The Court has been directed to proceed with the matter without the presence of the accused on all the dates of hearing, but as and when the presence is necessary, summons/notice may be issued within a reasonable time for appearance. A direction is otherwise given for expeditious completion of the trial, preferably within four months from the date of communication of that order.

7. In the light of the aforesaid, the same order is sought to be challenged by the applicant by seeking leave alleging delay in completion of the trial. We do not find any substance in those arguments in the light of the order passed by the Apex Court and that too in reference to the same order. Leave for that reason cannot be granted. Accordingly, the application is dismissed. Consequently, the writ appeal is rejected at the SR stage.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

kpl/drm

To

The Regional Passport Officer,
Chennai Royala Towers No.2 & 3,
IV Floor, Old No.785, New No.158,
Anna Salai, Chennai - 600 002.



Copy To:-

The Section Officer,
Judicial Section,
High Court, Madras.

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+1cc to Mr.V.S.Senthil Kumar, Advocate, S.R.No.8168

C.M.P.NO.1492 OF 2022 AND
W.A.NO.SR8869 OF 2022

MG (CO)
PBS/15/02/2022