



W.P.No.30203 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.11.2022

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

Writ Petition No.30203 of 2022

G.Mithrracini

.... Petitioner

-Vs-

1.The Foreigner Regional Registration Officer
The Foreigner Regional Registration Office
No.26, Shastri Bhawan Annexe Building
26, Haddows Road, Nungambakkam
Chennai 600 006.

2.The Chief Immigration Officer
The Chief Immigration Office
No.26, Shastri Bhawan Annexe Building
Haddows Road, Nungambakkam
Chennai – 600 006.

3.The Regional Passport Office
Rozala Towers, No.2 and 3, IV Floor
Old No.785, New No.158, Anna Salai
Chennai 600 002.

4.The State Rep.by
Inspector of Police
J-5, Shastri Nagar Police Station
Adyar, Chennai (Crime No.806 of 2018)

.... Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents 1 to 4 to consider



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the representation of the petitioner dated 07.10.2022 seeking to permit / allow the petitioner to move to Malaysia.

For Petitioner : Mr.G.Muthurasu
for Mr.N.G.P.Rajaram
For Respondents : Mr.Venkataswamy Babu
Senior Panel Counsel for Central Government
-for RR 1 to 3
Mr.R.Kumaravel
Additional Government Pleader – for R4

ORDER

The prayer sought for herein is for a Writ of Mandamus directing the respondents 1 to 4 to consider the representation of the petitioner dated 07.10.2022 seeking to permit / allow the petitioner to move to Malaysia.

2. The petitioner is already having a valid passport and she wants to travel to Malaysia. However, such permission has not been given because some criminal case was pending at that time. Subsequently, the petitioner was able to get an acquittal in the criminal case and according to the petitioner, there is no impediment to travel to Malaysia using her passport. Therefore, in order to permit the petitioner to go abroad, she has filed a representation to the respondents which was considered and they sent a communication on 21.10.2022 asking the petitioner to appear before the concerned officer on 28.10.2022.



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3. However, the petitioner, due to the late receipt of the said communication dated 28.10.2022, could not appear before the concerned officer on 28.10.2022. Therefore, the petitioner by her communication dated 02.11.2022, sought for extension of time to appear and to fix a new date. Thereafter, no communication since has been received from the respondents, the petitioner has moved the present writ petition.

4. Heard the learned counsel for the petitioner who reiterated the aforesaid facts and seeks the indulgence of this Court.

5. Heard the learned Standing Counsel appearing for the respondents who would submit that considering the representation submitted by the petitioner, already a date was given to appear on 28.10.2022 and on that since she did not appear and seeks for further date on the ground that the communication was received by him belatedly, that would be considered by the respondents and a new date would be given to her and on that date if she appears the plea of the petitioner would be considered on merits.

7. I have heard the submissions made by the learned counsel for both sides and have perused the materials placed on record.



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6. In view of the said stand taken by the learned Standing Counsel for the respondents, this Court is inclined to dispose of this writ petition with the following order.

- That there shall be a direction to the respondents to fix a date within two weeks from the date of receipt of a copy of this order, intimating the same in advance to the petitioner.
- On that date so fixed by the respondents, the petitioner shall appear before the concerned officer without fail and based on such enquiry, the respondents can decide the representation of the petitioner seeking permission to travel abroad ie., Malaysia by using her passport.
- Such an order shall be passed within a period of two weeks thereafter.

7. With the above directions, this writ petition is disposed of. No costs.

15.11.2022

Index : Yes/No
Internet : Yes/No
KST

Note : **Issue order copy on 24.11.2022**



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R. SURESH KUMAR, J.

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