



W.P.No.31490 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.11.2022

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

Writ Petition No.31490 of 2022
and W.M.P.Nos.30952, 30954 and 30957 of 2022

Asianet Star Communications
Private Limited (Formerly known as
Vijay Television Private Limited)
Rep.by its authorised signatory
Ms.Dhanya Nandakumar, Kochar Jade
Plot No.22, Thiru.Vi.Ka.Industrial Estate
Guindy, Chennai 600 032.

.... Petitioner

-Vs-

1.Union of India
Represented by Secretary to Government
Ministry of Home Affairs, North Block
New Delhi – 110 011.

2.Foreign Regional Registration Officer
Bureau of Immigration, Ministry of Home Affairs
Government of India, Haddows Road
Subba Reddy Avenue, Nungambakkam
Chennai 600 006.

.... Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus calling for the records of the impugned show cause notice in Office Memo No.21/BOI/FRRO/CHN/SC.2022-164-6176 dated 01.11.2022 issued by the 2nd respondent and the subsequent reminder from the 2nd respondent's office of the impugned show cause notice in Office Memo No.21/BOI/FRRO/SCH/SC/2022-166 dated 11.11.2022 and quashing the same as arbitrary, illegal, and without jurisdiction and restrain the respondents their officers, employees, subordinates, agents or any other person(s) claiming or acting under them from initiating any proceedings against the petitioner company, their directors, officers and/or employees by resort to



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provisions of the Foreigners Act or provisions of the Foreigners Order, 1948.

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For Petitioner : Mr.Rahul Balaji
For Respondents : Mr.K.Srinivasamurthy
Central Government Standing Counsel

ORDER

The prayer sought for herein is for a Writ of Certiorarified Mandamus calling for the records of the impugned show cause notice in Office Memo No.21/BOI/FRRO/CHN/SC.2022-164-6176 dated 01.11.2022 issued by the 2nd respondent and the subsequent reminder from the 2nd respondent's office of the impugned show cause notice in Office Memo No.21/BOI/FRRO/SCH/SC/2022-166 dated 11.11.2022 and quashing the same as arbitrary, illegal, and without jurisdiction and restrain the respondents their officers, employees, subordinates, agents or any other person(s) claiming or acting under them from initiating any proceedings against the petitioner company, their directors, officers and/or employees by resort to provisions of the Foreigners Act or provisions of the Foreigners Order, 1948.

2. When the case is taken up for hearing at the admission stage, the learned counsel for the petitioner submits that, already the petitioner has given a letter to the respondents on 18.11.2022 that due to inadvertence they did not file the Form'C' and that has been in fact accepted by the respondents.



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3. Learned counsel for the respondents has produced a communication dated 18.11.2022 submitted by the petitioner, where this Court is able to find the following endorsement ,“ Condone it and issue” by the concerned officer of the respondents. That means, the delay caused by the petitioner in filing Form 'C' has been condoned. Therefore, there could be no impediment for the petitioner to file it immediately to be accepted by the respondents.

4. Therefore, the issue raised in this writ petition, for the time being, is settled amicably. In view of the same, recording the said development, the learned counsel for the petitioner wants to withdraw this writ petition with a liberty to approach this Court in case of any cause of action arises in future on the same issue.

5. Recording the said submission of the learned counsel for the petitioner, this writ petition is dismissed as withdrawn with the aforesaid liberty. No costs. Consequently, connected miscellaneous petitions are also dismissed.

25.11.2022

Index : Yes/No
Internet : Yes/No
KST



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R. SURESH KUMAR, J.

KST

To

- 1.The Secretary to Government
Ministry of Home Affairs, North Block
New Delhi – 110 011.
- 2.Foreign Regional Registration Officer
Bureau of Immigration, Ministry of
Home Affairs, Government of India,
Haddows Road, Subba Reddy Avenue,
Nungambakkam, Chennai 600 006.

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