



W.P.(MD).No.20161 of 2013

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.08.2022

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD).No.20161 of 2013

Ajantha Barnabas

... Petitioner

Vs.

1.The Ministry of External Affairs,
represented by its Secretary,
Government of India,
New Delhi.

2.The District Collector,
Kanyakumari District,
At Nagercoil.

3.The Superintendent of Police,
Kanyakumari District,
At Nagercoil.

4.A.Deepu Andrews

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents 1 to 3 for extradition of the 4th respondent Deepu Andrews, son of Andrews bearing Old Passport Number B5946197 New Passport No.J4206045 from the Qatar considering the representation of the petitioner, dated 18.11.2013, within a stipulated period that may be fixed



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by this Court.

For Petitioner	: Mr.S.Sivakumar
For R1	: Mr.V.Malaiyendran
For R2 and R3	: Mr.S.Shanmugavel Additional Government Pleader
For R4	: No appearance

ORDER

The writ petition is filed seeking a writ of Mandamus, directing the respondents 1 to 3 for extradicting the 4th respondent.

2.According to the learned Counsel for the petitioner, she got married to the 4th respondent herein on 23.06.2008. Due to matrimonial discard, the 4th respondent had filed O.P.No.1477 of 2010 for divorce before Family Court, Thiruvananthapuram and the same was dismissed for default. The petitioner had lodged a police complaint before All Women Police Station, Colachel and FIR has been registered under crime no.7/2012 under sections 420, 406, 498(A) of IPC and sections 3, 4, 6 of Dowry Prohibition Act. The police authorities have also filed a final report before the learned Judicial Magistrate Court No.II, Kuzhithurai. Since the 4th respondent is absconding, the final report was



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returned without taking into file for taking cognisance of the offence.

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3. According to the petitioner, the 4th respondent is in Qatar and unless steps are taken by the authorities, he cannot be brought back to India to face the criminal proceedings.

4. On instructions, the learned Counsel for the 4th respondent has placed on record that the 3rd respondent has already issued a look out notice on 02.09.2016 and the same has also been intimated to the Foreigners Regional Registration Officer, Bureau of Immigration, Shastri Bhavan, Haddows Road, Nungambakkam, Chennai. Since the look out notice circular has already been issued by the 3rd respondent herein, the first respondent is directed to proceed further in accordance with law

5. With the above said observation, the writ petition is disposed of.

No costs.

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Index : Yes / No
Internet : Yes / No

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To

- 1.The District Collector,
Kanyakumari District,
At Nagercoil.
- 2.The Superintendent of Police,
Kanyakumari District,
At Nagercoil.

Order made in
W.P.(MD).No.20161 of 2013

25.08.2022