



1

W.P.(MD)NO.14111 OF 2022

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

WEB COPY

**DATED: 26.08.2022**

**CORAM**

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

**W.P.(MD)No.14111 of 2022 and**  
**W.M.P.(MD)No.10077 of 2022**

Ibrahim Ali

... Petitioner

Vs.

1. The Regional Passport Officer,  
Royala Towers No.2 and 3, IV Floor,  
Old No.785, New No.158, Anna Salai, Chennai,  
Tamil Nadu – 600 002.
2. The Chief Immigration Officer,  
Shastri Bhavan Annex Buildings,  
20, Haddows Road, Nungambakkam,  
Chennai – 625 006.
3. The State rep. By,  
The Inspector of Police,  
All Women Police Station,  
Sivagangai,  
Sivagangai District.
4. O.S.H.Hajeral Begum  
(R-4 is impleaded vide  
Order dated 05.07.2022)

... Respondents

**Prayer:** Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, forbearing the respondents from restraining the petitioner from travelling abroad by citing the pendency of FIR in Crime No.13 of 2020 on the file of the third respondent.



For Petitioner : Mr.T.Antony Arul Raj

For R-1& R-2 : Mrs.L.Victoria Gowri,  
Assistant Solicitor General of India.

For R-3 : Mr.N.Ramesh Arumugam,  
Government Advocate.

For R-4 : Mr.T.Lajapathi Roy

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### **ORDER**

Heard the learned counsel on either side.

2. The writ petitioner encountered the difficulties for travelling abroad in view of the matrimonial complaint given by the fourth respondent.

3. When the matter was taken up for hearing, I suggested to the learned counsel on either side that the matter could be amicably resolved. Pursuant to the efforts taken by the learned counsel on either side, the issues have been amicably resolved. The writ petitioner as well as the fourth respondent confirmed the genuineness of the



settlement agreement dated 22.04.2022 and agreed to abide by the same. Before this Court, the petitioner had undertaken that he has no objection for the fourth respondent to travel abroad along with the child born through the wedlock.

4. The first respondent shall take note of this statement made by the writ petitioner before this Court while considering the fourth respondent's request in future. The fourth respondent is permitted to move the concerned authority for removal of the surname even in her passport. The petitioner has no objection for the same. When the fourth respondent wants to take the child with her, the passport authority shall not insist on consent from the biological father, namely, the writ petitioner herein. Since consensus had already been arrived at between the parties, no purpose will be served in keeping the First Information Report in Crime No.13 of 2020 on the file of the third respondent alive. The said First Information Report stands quashed.

5. Since the First Information Report itself has been quashed and the fourth respondent has no further grievance



against the writ petitioner and since the fourth respondent had withdrawn her complaint against the writ petitioner, the first respondent shall no longer put any travel restrictions on the writ petitioner citing the same. This writ petition stands disposed of on these terms. No costs. Consequently, connected miscellaneous petition is closed.

**26.08.2022**

Index : Yes / No

Internet : Yes/ No

PMU

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5

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**G.R.SWAMINATHAN,J.**

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