



WEB COPY



W.P.No.21114 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.07.2023

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MR.JUSTICE N.SESHASAYEE

W.P.No.21114 of 2023

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... Petitioner

Vs.

1.The Deputy Secretary to Government
Ministry of Home Affairs
North Block, New Delhi 110001

2.The Chief Immigration Officer
#26, Shastri Bhavan Annex
Haddows Road, Nungambakkam
Chennai 600 034

3.The Foreigners Regional Registration Officer (FRRO)
Bureau of Immigration
(MHA) Government of India
Chennai 600 006

4.The Airport Director
Chennai International Airport
Meenambakkam
Chennai 600 027

... Respondents

PRAYER: The writ petition filed under Article 226 of the Constitution of



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India, for issuance of a writ of Mandamus, to direct the respondents to permit the petitioner to enter India by considering petitioner's representation dated 02.03.2023.

For Petitioner : Mr.M.Guruprasad

For Respondents : Mr.K.Srinivasamurthy
SPCCG for R1 to R4

ORDER

The petitioner is a French national, and he has applied for visa to enter India and it has not been considered. He now seeks a direction to the 1st respondent to consider his representation dated 02.03.2023, for the said purpose.

2.Heard the learned counsel for the petitioner and the learned counsel appearing for the respondents. The perusal of the papers indicate that the petitioner, when he had landed in this country once earlier was caught for committing an offence under the COFEPOSA and was convicted. Later, he entered India through a lateral window through Nepal, and was caught and suffered a sentence in C.C.No.558/2015 on the file of Judicial Magistrate No.I, Puducherry, and this was admitted by the petitioner himself.



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3. Therefore, the Government thought it fit to ban his entry into India for five years commencing from 2016. This ban was imposed after his sentence under the COFEPOSA Act. Since he has committed a second offence, he is under closer watch, submitted the counsel for the respondents.

4.No foreign national has a right in law to seek entry into India, and it is for the Executive to decide the desirability of a foreigner in our country. Therefore, this would be meaningless for this Court even to direct the authorities concerned to consider the representation of the petitioner. This writ petition therefore, stands dismissed accordingly. No costs.

18.07.2023

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Index : Yes / No

Neutral Citation : Yes / No

Note: Issue order copy on 04.10.2023



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N.SESHASAYEE, J.

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To.

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