



WEB COPY



W.P.No.21583 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.07.2023

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKEVALU

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K.E.Eswari,
rep. by her father & Power Agent K.S.Elangovan,
No.3, Pillaiyar Koil Street,
Nehru Nagar, Check Post,
Velacherry, Chennai-600 042.

.. Petitioner

Vs

1.The Registrar General,
High Court, Madras,
Chennai-600 104.

2.The First Additional Principal Judge,
Family Court,
High Court Building Campus,
Chennai – 600 104.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the respondents to take on file the letter received by the office of the Family Court, Chennai from the Australian Embassy seeking clarification in GWOP Order No.4403/2015 for issuance of a PR visa to the petitioner's son Ram Ganesh and reply to the same which will facilitate and speed



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up the process of granting PR visa to the petitioner's minor son Ram Ganesh.

For the Petitioner : Ms.V.Sudha

For the Respondents : Mr.P.Kannan Kumar

ORDER

(Order of the court was made by the Hon'ble Chief Justice)

We have heard Ms.V.Sudha, learned counsel for the petitioner, and Mr.P.Kannan Kumar, learned counsel for the respondents.

2. The petitioner seeks directions against the respondents to take on file the letter received by the office of the Family Court, Chennai, from the Australian Embassy seeking clarification of the order passed in GWOP No.4403 of 2015 for issuance of a PR Visa to the petitioner's son Ram Ganesh and reply to the same, which would facilitate and speed up the process of granting PR Visa to the petitioner's minor son Ram Ganesh.

3. At the first place, such a petition ought not to have been



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filed in the High Court. The Family Court is not supposed to reply to any Embassy. The Court should pass orders upon the petitions of the parties.

4. Learned counsel for the petitioner submits that an attempt was made to file an application before the Family Court, but the same was not accepted.

5. No court would refuse to accept the application on the file, but it is the discretion of the court to pass the order one way or the other.

6. The petitioner may file an application in accordance with law with regard to the subject matter, which application shall be considered by the Family Court on its own merits.

7. Considering the exigency in the matter, the Family Court may endeavour to pass the order expeditiously on the application filed by the petitioner, of course on its own merits and in accordance



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with law.
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8. The petitioner may make a request to the Family Court for appearance through video-conferencing, which application would also be considered by the Family Court on its own merits.

With these observations, the writ petition is disposed of. There will be no order as to costs. Consequently, W.M.P.No.20954 of 2023 is closed.

(S.V.G., CJ.)

(P.D.A., J.)

24.07.2023

Index : Yes/No
Neutral Citation : Yes/No
sasi



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To:

- 1.The Registrar General,
High Court, Madras,
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- 2.The First Additional Principal Judge,
Family Court,
High Court Building Campus,
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THE HON'BLE CHIEF JUSTICE
AND
P.D.AUDIKESAVALU,J.

(sasi)

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