



W.P.No.24399 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.08.2023

CORAM: JUSTICE N.SESHASAYEE

WP.No.24399 of 2023

Nachayiammal @ Nachayi

...Petitioner

-Vs-

1.Foreigner Regional Registration Officer (FRRO),
Bureau of Immigration,
Ministry of Home Affairs,
Government of India,
Sastri Bhavan Annex Building,
No.26, Haddows Road,
Chennai – 600 006.

2.The Assistant Foreigners Regional
Registration Office,
Bureau of Immigration,
Anna International Airport,
Meenambakkam Airport,
Chennai – 600 027.

3.Mr.Chandran Ramasamy

...Respondents

Prayer: Writ Petition is filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the 1st and 2nd respondents to produce the travel details of Chandran Ramasamy Bearing Passport No. - F1570761 by considering the representation of the petitioner dated 06.07.2023.



W.P.No.24399 of 2023

For Petitioner : Mr.D.Balachandran
For R1 & R2 : Mr.R.Sidharth, CGSC

ORDER

The petitioner has laid a civil suit against the third respondent and the same is pending in O.S.No.142 of 2023 on the file of the Principal Sub Court, Virudhachalam. She now seeks detail of the travel documents of the third respondent from the first respondent, for the purpose of producing the same before the civil Court.

2.This Court cannot direct it since the petitioner has necessary provisions in the Code of Civil Procedure to summon the documents, if they are so essential. After all, the suit is one for declaration of petitioner's title to the suit property and if it becomes obligatory for the third respondent to prove certain fact in O.S.NO.142 of 2023 and if this fact is not so proved, this Court can also pass adverse inference against the conduct of the third respondent. The Writ Court cannot be a substitute in trying to secure the document to enable the petitioner to prove their case in the Civil Court.



W.P.No.24399 of 2023

3.This Court does not want to entertain this Writ Petition and accordingly, it is dismissed. No costs.

18.08.2023

Index : Yes/No

Internet : Yes/No

Tsg

To

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N.SESHASAYEE, J.,

Tsg

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