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W.A.Nos.212, 213 and 214 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 12.09.2023

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

THE HONOURABLE R.JUSTICE P.B.BALAJI

W.A.Nos.212, 213 and 214 of 2017 and

CMP Nos.3525, 2526 and 3527 of 2017

Rebecca AnnMalstead

... Appellant in
W.A.No.212/2017

Abigail Mala Malstead (Minor)
Rep. by her Natural Guardian and mother
Rebecca Ann Malstead.

... Appellant in
W.A.No.213/2017

Master Morgan Roger David Malstead (Minor)
Rep. by his Natural Guardian and mother
Rebecca Ann Malstead.

... Appellant in
W.A.No.214/2017

Vs.

1. Union of India,
Rep. by its Secretary, Ministry of Home Affairs,
Foreigners Division, Opp. Parliament Road,
Near Jandhar Mandhar, NDCC-2 Buildings,
New Delhi.



W.A.Nos.212, 213 and 214 of 2017

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2. The District Magistrate Cum District Collector,
Office of the Colletorate, Udagamandalam,
The Nilgiris.

3. Principal Secretary to Government,
Public (Foreigners) Department,
Chennai 600 009.

4. The Superintendent of Police,
Office of the Superintendent of Police,
The Nilgiris.

... Respondents in
all the writ appeals

Prayer in W.A.No.212/2017: Writ Appeal filed under Clause 15 of the
Letter Patent to set aside the order passed by this Court in
W.P.No.3026/2017 dated 15.02.2017.

Prayer in W.A.No.213/2017: Writ Appeal filed under Clause 15 of the
Letter Patent to set aside the order passed by this Court in
W.P.No.3027/2017 dated 15.02.2017.

Prayer in W.A.No.214/2017: Writ Appeal filed under Clause 15 of the
Letter Patent to set aside the order passed by this Court in
W.P.No.3028/2017 dated 15.02.2017.



W.A.Nos.212, 213 and 214 of 2017

In all Writ Appeal

For Appellant : Mr.Muthukumar for
M/s Paul and Paul

For Respondents : Mr.B.Rabu Manohar,
Senior Panel Counsel- for R1

Mr.K.Tippusulthan,
Govt.Advocate for R2 to R4

ORDER

(Order of the Court was delivered by D.KRISHNAKUMAR, J.)

Today, when the matters are listed for hearing, the learned Senior Panel Counsel appearing for the first respondent has placed a written instruction furnished by the Bureau of Immigration (MHA), Government of India, No.26, Haddows Road, Shastri Bhavan Annexe, Chennai 600 006, dated 31.08.2023, in which it is stated as follows.

" 2. It is submitted that Rebecca Ann Malstead and Abigail Mala Malstead have not submitted for any OCI related services. They both have departed from India on 14.01.2023 with their respective valid passports and OCI cards. Morgan Roger David Malstead had submitted for OCI re-issuance vide application (File ref.No. INDC00021M23). The application was duly processed and he was issued OCI card No.A4796855 on 29.05.2023. He has also departed from India on 31.05.2023 with valid passport and OCI card."



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2. In the light of the above, the impugned order passed by the second respondent dated 24.01.2017 has become inoperative and hence, all the writ appeals are dismissed as infructuous. No costs. Consequently, connected miscellaneous petitions are closed.

(D.K.K., J.) (P.B.B., J.)

12.09.2023

Index:Yes/No
Internet:Yes/No
mst

To

1. The Secretary, Union of India,
Ministry of Home Affairs,
Foreigners Division, Opp. Parliament Road,
Near Jandhar Mandhar, NDCC-2 Buildings,
New Delhi.
2. The District Magistrate Cum District Collector,
Office of the Colletorate, Udagamandalam,
The Nilgiris.
3. The Principal Secretary to Government,
Public (Foreigners) Department,
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4. The Superintendent of Police,
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**D. KRISHNAKUMAR, J.
AND
P.B.BALAJI, J.**
mst

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12.09.2023