



WEB COPY



W.P.No.31703 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.11.2023

CORAM :

THE HONOURABLE DR.JUSTICE ANITA SUMANTH

W.P.No.31703 of 2023

Hameed Ali

.. Petitioner

VS

1.The Inspector of Police,
W-16, All Women Police Station,
Pulianthope,
Chennai - 12.

2.The Chief Immigration Officer,
No.26, Haddows Road,
Shastri Bhavan Annex,
Chennai - 600 006.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus directing 2nd respondent to return the petitioner's old passport no. S5774923 along with the petitioner's new passport no. V9315529 seized from me unlawfully.

For Petitioner : Mr.S.Haja Mohideen Gisthi

For Respondents : Mr.S.Sugendran, APP for R1
Ms.S.P.Arthi, SPC for R2

ORDER

Read this order in conjunction with and in continuation of order dated 03.11.2023 reading thus:-

"Mr.Leonard Arul Joseph Selvam, learned Government Advocate (Crl.Side) accepts notice for R1 and Ms.S.P.Aarthi, learned counsel



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accepts notice for R2. They seek some time to obtain instructions and file counters.

2. *Incidentally, Mr.R.Thiagarajan, learned counsel intervenes on behalf of the first wife of the petitioner, at whose instance, litigation has been initiated before the Additional Mahila Court, Egmore, Chennai.*

3. *Mr.Selvam would point out that in fact the Writ Petition is itself infructuous insofar as the passport of the petitioner has been seized by the immigration authorities upon the petitioner entering the Country on the basis of the Look-out Circular which is challenged in W.P.No.8107 of 2022. Upon such seizure, it was handed over to R1, who has, in turn, handed over the same to the Additional Mahila Judge, Egmore, Chennai.*

4. *In such a circumstance, since Mr.Gisthi, learned counsel for the petitioner states that the matter is next posted before the Additional Mahila Judge on 17.11.2023, the petitioner is at liberty to make the same submissions as made before this Court, before the Additional Mahila Judge, Egmore.*

5. *List on 22.11.2023. Counters by then with an advance copy served upon the petitioner."*

2. Mr.Gisthi, states that upon the application being made before the Additional Mahila Judge, the petitioner has received back the passport. Hence, he does not pursue the prayer for a mandamus for return of passport.

3. Recording this, this writ petition is closed. No costs.

22.11.2023

Index:Yes/No
Neutral Citation:Yes
ssm



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To

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DR. ANITA SUMANTH,J.

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