



W.P(MD)No.6590 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 18.12.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.6590 of 2022
and
W.M.P.(MD)No.5095 of 2022

Jegathiswaran

... Petitioner

Vs.

1.The Chief Immigration Officer,
O/o. The Chief Immigration Office,
Tiruchirappalli International Airport,
Tiruchirappalli.

2.The Immigration Officer,
O/o. The Immigration Officer,
Tiruchirappalli International Airport,
Tiruchirappalli.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent No.1 to permit the petitioner to travel aboard and provide to adequate compensation to the petitioner.



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For Petitioner : Mr.S.M.S.Jinna

For Respondents : Mr.K.Govindarajan,
Deputy Solicitor General of India,
Assisted by H.Velavadhas,
Senior Panel Counsel.

ORDER

Heard both sides.

2.The petitioner states that he was unlawfully stopped at Trichy immigration point and not allowed to travel abroad. He wants compensation to be paid by the respondent.

3.When the matter was taken up for hearing, the learned Deputy Solicitor General of India submitted that the petitioner had studied only upto 8th standard. For such categories of persons, an endorsement “ECR required” will be made. Whenever such endorsement is found, the Immigration Authority is bound to enquire the traveller. When the petitioner was queried as to why, he wanted to visit Dubai, he clarified that he was going there on job purpose. But then, his visa indicated that



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he was to visit as a tourist. There was clear discrepancy between the visa entry and the statement made by the petitioner before the Immigration Authorities. In these circumstances, the petitioner was not allowed to travel abroad.

4.I am clearly of the view that the respondents' action cannot be justified as illegal or unreasonable. The question of directing the respondents to pay compensation does not arise at all. This writ petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

18.12.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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G.R.SWAMINATHAN, J.

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