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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.06.2023

CORAM

THE HONOURABLE MR.JUSTICE **C.V.KARTHIKEYAN**

W.P.(MD)No.15177 of 2023

Indirakumar

... Petitioner

vs.

1.Foreign Regional Passport Office,
Bureau of Immigration, Haldows Road,
Subha Road Avenue, Shastri Bhavan,
Nungambakkam, Chennai – 600 021.

2.The Superintendent of Police,
Foreigners Registration Office,
Pudukottai Main Road,
Subramaniyapuram, TVS Tollgate, Trichy – 620 020.

3.Foreigners Regional Registration Office (FRRO),
Head Quarters East Block-VIII,
Level-V, Sector-1,
Ramakrishnapuram, New Delhi- 110 066.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the first respondent to accept the petitioner's e-visa Application No.I008V025273, Application ID No.GBRLV0A0DD22 and permit the petitioner to visit India to see his age old mother residing at Trichy, on the basis of petitioner representation dated 11.04.2023.

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For Petitioner :Mr.M.Sankar
For R1 and R2 :Mr.K.Govindarajan
Deputy Solicitor General of India
For R3 :Mr.J.Ashok
Additional Government Pleader

ORDER

This Writ Petition has been filed in the nature of a Mandamus seeking a direction against the first and second respondents to accept the e-visa application No.I008V025273 given by the petitioner herein and permit the petitioner to visit India to see his mother at Trichy.

2.Heard Mr.M.Sankar, learned Counsel for the petitioner, Mr.K.Govindarajan, learned Deputy Solicitor General of India for the first and second respondents and Mr.J.Ashok, learned Additional Government Pleader for the third respondent.

3.The petitioner has an affinity to file Writ Petitions. He had earlier filed a Writ Petition before the Principal Bench in W.P.No.33473 of 2019, wherein, the petitioner had sought a Mandamus directing the first respondent not to insist on no objection certification from the second



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respondent/Inspector of Police, Airport Police Station, Chennai, in the course of processing the petitioner's exist visa papers in Application No. 120819J5180V, dated 12.08.2018.

4.The first respondent therein and the first respondent herein are the same. It is not known why the petitioner had filed this petition before this Court at Madurai Bench. The reason must probably that the same Judge, who passed the order in the earlier Writ Petition is presiding over this Court and the petitioner is of the apparent opinion that he can therefore file the Writ Petition, wherever the Judge sits. On this very ground itself, the Writ Petition deserves to be dismissed with costs.

5.The petitioner cannot choose the forum.

6.More over, as seen from the affidavit filed by the petitioner, the e-visa application aforementioned, as pointed by the learned Deputy Solicitor General of India has been rejected. A Mandamus will not lie against an order of rejection. The petitioner's *bona fide* is suspect. The petitioner has not come to Court with clean hands. There is a clear



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attempt of forum shopping. This cannot be encouraged. This has to be prevented. This is prevented. It is prohibited.

7.The writ Petition stands dismissed. Costs of Rs.50,000/- are imposed on the petitioner herein and the costs to be paid on or before 15.07.2023 to the credit of Member Secretary, Tamil Nadu State Legal Services Authority either by the petitioner or through his mother, who is residing at Trichy.

8.It is made clear that till costs are paid by the petitioner or mother, no further application of the petitioner to enter into this country can be maintained or examined or even processed by the respondents herein.

9.The Writ Petition stands dismissed with costs as aforesaid.

Index :Yes / No
Internet :Yes
NCC : Yes/No

26.06.2023

cmr



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C.V.KARTHIKEYAN, J.

cmr

Order made in
W.P.(MD)No.15177 of 2023

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