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W.P.No.2842 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.03.2024

CORAM :

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

W.P.No.2842 of 2024
and W.M.P.No.3092 of 2024

F.N.Durai

... Petitioner

Vs.

1. The Additional Superintendent of Police,
CBI/Spe/ACB,
Anti-Corruption Branch,
3rd Floor, Shastri Bhavan,
Haddows Road,
Nungambakkam, Chennai – 600 006.
2. The Deputy Superintendent of Police,
Economic Offences Division,
EOD Chennai A-Wing,
3rd Floor, Rajaji Bhavan,
Besant Nagar, Chennai – 600 090.
3. The Chief Immigration Officer,
Immigration Office,
No.26, Shastri Bhavan,
Haddows Road,
Nungambakkam, Chennai – 600 006.

... Respondents

PRAYER : Writ Petition filed under Article 226 of Constitution of India,
pleaded to issue a Writ of Mandamus or any other order or direction or a Writ



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in the nature of Writ of Mandamus, by directing the respondents herein to grant No Objection for the petitioner's International Travel and permit international immigration during the validity of the petitioner's passport bearing NO.B6650603 which expires on 19.11.2024.

For Petitioner : Mr.T.T.Ravichandran
For R1 : Mr.K.Srinivasan
Special Public Prosecutor for CBI.
For R3 : Mr.K.Srinivasamurthy
Senior Panel Counsel Central Government

ORDER

The Writ Petition has been filed seeking to direct the respondents herein to grant No Objection for the petitioner's International Travel and permit international immigration during the validity of the petitioner's passport bearing NO.B6650603 which expires on 19.11.2024.

2. When the matter is taken up for hearing today, Mr.K.Srinivasamurthy, learned Senior Panel Counsel Central Government appearing for the third respondent has produced the Corrigendum dated 10.08.2021 of Government of India, Ministry of Home Affairs, Foreigners Division (Immigration Section), in which it has been stated that the LOC opened shall remain in force until and unless a deletion request is received by BoI from the



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originator itself. He further submitted that the LOC issued against the petitioner is still in force. Hence, he objected for allowing the petition.

3. Mr.K.Srinivasan, learned Special Public Prosecutor for CBI submitted that earlier, the petitioner had filed a petition in CrI.O.P.No.22540 of 2023 before this Court seeking to renew the passport, in which, the petitioner had not mentioned about the cases pending against him in C.C.No.21 of 2021 on the file of the XI Additional Sessions Court (For CBI Cases), Chennai and in C.C.No.1782 of 2022 on the file of the Additional Chief Metropolitan Magistrate Court, Egmore. He further submitted that the since these two cases are at the stage of pending trial, the trial Court would be the appropriate Court to decide upon the request of the petitioner to travel abroad.

4. At this juncture, the learned counsel for the petitioner seeks permission of this Court to withdraw the Writ Petition with a liberty to approach the Court concerned seeking for a permission to travel abroad, if required. He has also made an endorsement in the case bundle to that effect.

5. In view of the above submissions and the endorsement made by the learned counsel for the petitioner, this Writ Petition stands dismissed as



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withdrawn. However, the petitioner is at liberty to approach the Court concerned in order to seek permission to travel abroad. Consequently, the connected miscellaneous petition is also closed. No costs.

08.03.2024

Index : Yes / No
Speaking / Non-speaking
Neutral Citation : Yes / No
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To

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High Court of Madras.



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