

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.07.2024

CORAM :

THE HONOURABLE DR.JUSTICE ANITA SUMANTH

W.P.No.3835 of 2021
and
W.M.P.No.4391 of 2021

Bamakrishnakumar

.. Petitioner

vs

1.The Chief Immigration Officer,
Bureau of Immigration,
Ministry of Home Affairs,
Government of India,
Shastri Bhavan, Chennai.

2.The Home Secretary,
Ministry of Home Affairs,
Union of India,
New Delhi

3.The Secretary to Government,
Ministry of External Affairs,
Union of India, New Delhi.

4.The Consulate General,
Visa Section,
Indian High Commission at Netherland,
Netherland.

5.The Foreigners Regional Registration Officer,
R.K.Puram, New Delhi.

6.The Foreigners Regional Registration Officer,
No.26, Shastri Bhavan, Annex Building,
Haddows Road, Nungambakkam,
Chennai – 600 034.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus directing the 5th respondent to consider my visa application No.NLDTVOIF2219 dated 10.07.2019 and issue tourist VISA and permit me to enter India and stay for visa period.

For Petitioner : Ms.V.Roja
for Ms.Kanimozhi Mathi

For Respondents : Mr.S.Janarthanam, Senior Panel Counsel

ORDER

The petitioner seeks a mandamus directing the 5th respondent i.e., the Foreigners Regional Registration Officer, New Delhi to consider her visa application dated 10.07.2019 and issue tourist visa by permitting her to enter India and stay for visa period.

2. The submission of the petitioner is that she is a citizen of Netherlands and her family was shattered during the civil war in Srilanka and her husband, a refugee, is presently holding citizenship of Netherlands. She wants to come to India to be with her children. Hence she has applied for a tourist visa.

3. Counter affidavit has been filed by the official respondents denying the averments made in the writ affidavit. At para 3, the respondents state that her tourist visa application was rejected due to pendency of the Look Out Circular notice. Reliance is placed on a decision of the Delhi High Court in LPA No. 219 of 2019 filed against W.P.(C) No. 8455 of 2019 (*Savitha Kumar v UOI*). In all, the respondents pray for dismissal of this writ petition.

4. As the visa application has itself been rejected, a mandamus will not lie. However, it appears that the order has not been sent to the petitioner. Hence, R5 is directed to communicate the order to the

petitioner forthwith, and in any event, within two weeks from date of receipt of a copy of this order.

5. Writ petition stands disposed in terms of this order. No costs.

Connected miscellaneous petition is closed.

10.07.2024

Neutral Citation:Yes

ssm

To

- 1.The Chief Immigration Officer,
Bureau of Immigration,
Ministry of Home Affairs,
Government of India,
Shastri Bhavan, Chennai.
- 2.The Home Secretary,
Ministry of Home Affairs,
Union of India,
New Delhi
- 3.The Secretary to Government,
Ministry of External Affairs,
Union of India, New Delhi.
- 4.The Consulate General,
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Indian High Commission at Netherland,
Netherland.
- 5.The Foreigners Regional Registration Officer,
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DR. ANITA SUMANTH,J.

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