



WEB COPY



W.P.No.7489 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.03.2024

CORAM :

THE HONOURABLE MR. JUSTICE M.S.RAMESH

AND

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

W.P.No.7489 of 2024

S. Sasireka

... Petitioner

Vs.

1. State of Tamil Nadu

Represented by the Secretary to Government,
Public (Foreigners-II) Department,
Secretariat, Chennai 600 009.

2. The Secretary to Government

Public (S.C.) Department,
Secretariat, Chennai 600 009.

3. The Superintendent of Police

Q Branch CID, Mylapore,
Chennai 600 004.

4. The District Collector,

Tiruchirapalli District,
Tiruchirapalli 20.

....Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India

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praying for the issuance of a Writ of Mandamus, directing the respondents to consider the representation of the petitioner dated 04.01.2024 and permit the petitioner's husband to reside with the petitioner.

For Petitioner : Mr.P. Pugalenth
For Respondents : Mr.E.Raj Thilak
Additional Public Prosecutor

ORDER

(Order of the Court was made by **M.S.RAMESH, J.**)

The Writ Petition has been filed seeking for the issuance of a Writ of Mandamus, directing the respondents to consider the representation of the petitioner dated 04.01.2024 and permit the petitioner's husband to reside with her.

2. The case of the petitioner is that her husband was convicted for the offences under Sections 10(a)(i), (iv) and 38(1) of the Unlawful Activities (Prevention) Act 1967, 3(a) r/w 12(1) (a) of the Passport Act, 1967, 3 and 14(c) of the Foreigners Act 1946, 6 of Poisons Act, 1919 and 419 IPC and sentenced to 10 years imprisonment by the learned Principal District and Sessions Judge, Ramanathapuram, in S.C. No.7 of 2016 dated



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28.04.2018 and on an appeal before the Madurai Bench of Madars High Court, in CrI.A.(M.D.) No.35 of 2018, the same was reduced to seven years rigorous imprisonment. It is further stated that, after completion of the abovesaid sentence, the petitioner's husband was released from prison and he has been detained in the Special Camp at Trichy as per the order in G.O.No.SR.II/1240-1/2015, dated 27.08.2015. The petitioner is now living with her son who is a heart patient and studying in 10th standard in a private school at Sholinganallur, Chennai. In the circumstances, she needs her husband to stay with her permanently. In this regard, on 04.01.2024, the petitioner submitted a representation to the respondents. Since the same has not been considered till date, she has come forward with this writ petition.

3.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.

4.Having regard to the limited scope of the prayer in the writ petition, this Court, without going into the merits of the petitioner's representation or



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the contentions of the petitioner in the affidavit filed in support of this writ petition, directs the respondents to consider the representation of the petitioner, dated 04.01.2024 and pass appropriate orders on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order, and communicate the same to the petitioner.

5. With the above direction, this writ petition is disposed of. No costs.

**[M.S.R., J] [S.M., J]
21.03.2024**

bga

Internet : Yes

Index : Yes / No

Neutral Citation : Yes / No



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To

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