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W.P.No.14901 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.07.2024

CORAM

THE HONOURABLE **DR.JUSTICE ANITA SUMANTH**

W.P.No.14901 of 2024
& WMP.No.16168 of 2024

Sathick Hasan

.... Petitioner

Vs

1.The Joint Director,
Directorate of Enforcement,
Chennai Zonal Office – I,
No.2, 5th & 6th Floor, BSNL Administrative Building,
Kushkumar Road, Nungambakkam,
Chennai – 600034.

2.The Assistant Director,
Directorate of Enforcement,
Chennai Zone - I, No.2, 5th & 6th Floor,
BSNL Administrative Building,
Kushkumar Road, Nungambakkam,
Chennai – 600034.

3.The Bureau of Immigration,
East block - VIII, Level - V,
Sector-1, Rama Krishnapuram,
New Delhi - 110 001

4.The Immigration Officer
Chennai International Airport
Chennai-600 027.

... Respondents



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Prayer: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the Respondents to permit the Petitioner to travel outside the territory of India and further, directing the Respondents, to withdraw Lookout Circular/Notice if any issued against the Petitioner.

For Petitioner : Mr.Hari Radhakrishnan

For Respondents : Mr.Rajnish Pathiyil (for R1 & R2)
Senior Panel Counsel

Mr.S.N.Parthasarathy (for R3 & R4)
Senior Central Government Standing Counsel

ORDER

The petitioner seeks a mandamus directing the respondents to permit him to travel outside India and to withdraw a Look-out Circular (LOC) if at all any has been issued against him.

2. On the earlier occasion, Mr.Rajnish Pathiyil, learned Senior Panel Counsel for R1 and R2 was directed to produce a copy of the LOC. A copy has been produced now, by respondents citing confidentiality. No rules or regulations have been supplied by the respondents to support their contention that the LOC subject is not



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entitled to the copy of the same.

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3. However, a copy of the LOC contains a note to the effect that the originator will prevent unauthorized access of the LOC by the LOC subject or his/her representations or any other unauthorized persons. The sanctity of this note remains to be seen in absence of any statutory stipulation in this regard.

4. Be that as it may, since the petitioner points to a request made for LOC on 11.12.2023, which is admittedly pending before the respondents, mandamus is issued to the R2/Assistant Director, Directorate of Enforcement to hear the petitioner and dispose his representation dated 11.12.2023 within a period of two (2) weeks from the date of his personal hearing in accordance with law. For this purpose, the petitioner is permitted to appear before the R2 on 15.07.2024.

5. This writ petition is disposed in the above terms. No costs. Connected miscellaneous petition is closed.

11.07.2024

Index: Yes/No
Speaking order: Yes
Neutral Citation: Yes
mpl



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To



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Dr.ANITA SUMANTH,J.
mpl

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