



WEB COPY



W.A.No.1759 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.07.2024

CORAM :

THE HON'BLE MR. D.KRISHNAKUMAR, ACTING CHIEF JUSTICE

and

THE HONOURABLE MR.JUSTICE K. KUMARESH BABU

W.A.No.1759 of 2024

and CMP.No. 12509 of 2024

Vellachi V Arunachalam

..Appellant

Vs

1. Union of India
Represented by Ministry of Home Affairs,
Foreign Department, Immigration Office,
North Block, New Delhi- 110001.

2. Inspector of Police,
Bank Fraud Wing, Team XI, Central Crime Branch,
Vepery, Chennai-600007.

3.A. Muthu

..Respondents

PRAYER: Writ Appeal has been filed under Clause 15 of the Letters Paten

Act to set aside the order dated 25.04.2024 in W.P.No. 33856 of 2023.



W.A.No.1759 of 2024

For Petitioner : Mr. John Sathyan, Senior Counsel
For Respondents : Mr. V. Raghavachari, Senior Counsel
for Mr. M. Deivanandam – R3
Mr. Muniyapparaj, APP – R2
Mrs. J. Priscillia Pandian - R1

JUDGMENT

(Order of the Court was made by the Hon'ble Acting Chief Justice)

Challenge in the writ petition and the writ appeal is against the Look Out Circular dated 03.06.2023 issued to the appellant by the 1st respondent.

Brief facts:

2. The challenge to the Look Out Circular dated 03.06.2023 issued to the appellant is primarily on the ground that the appellant has duly cooperated with the 2nd respondent from the date of her arrival and has also appeared before the trial Court for the hearings. Final report has also been filed and in no circumstances the investigation will be hampered.



W.A.No.1759 of 2024

WEB COPY

3. At this stage, the learned counsel appearing for the respondents strongly contented that the present intra court appeal is not maintainable. To substantiate their arguments, following judgments are placed before this Court;

- i. Ram Kishan Fauji Vs. State of Haryana & others (Reported in (2017) 5 SCC 533.*
- ii. K.Natarajan Vs.Ms. KadekDwi Ani Rasmini & 4 others (W.A.No.457 of 2020, dated 18.07.2024.*
- iii. Super Saravana Stores VS. Henro Tiphagme & 10 others (W.A.(MD) No. 1330 of 2023, dated 14.08.2023.*
- iv. D.Kumar Vs. Raichand Daga & 5 Others (W.A.SR.44351 of 2020, dated 03.08.2020).*
- v. C.Sivasankaran Vs. Foreigner Regional Registration Officers & 7 others (W.A.SR.No. 49793 of 2020)*

4. All the aforesaid decisions clearly answered that intra Court is not maintainable under The Letters Patent Act.

5. Though the learned senior counsel appearing for the appellant canvassed that the intra Court appeal is maintainable, the issue is no longer



W.A.No.1759 of 2024

res-integra in view of the aforesaid decisions of the Hon'ble Supreme Court as well as the Hon'ble Division Bench of this Court.

6. In the result, the intra court appeal is dismissed as not maintainable.

No costs. Consequently, connected Miscellaneous Petition is closed. It is open to the appellant to approach the concerned Court to review the order.

(D.K.K., A.CJ.) (K.B.J.)

29.07.2024

Internet: Yes/No

Index : Yes/No

ak

To

1. Union of India
Represented by Ministry of Home Affairs,
Foreign Department, Immigration Office,
North Block, New Delhi- 110001.

2. Inspector of Police,
Bank Fraud Wing, Team XI, Central Crime Branch,
Vepery, Chennai-600007



WEB COPY



W.A.No.1759 of 2024

THE HON'BLE ACTING CHIEF JUSTICE

and

K. KUMARESH BABU, J.

ak

W.A.No.1759 of 2024

and CMP.No. 12509 of 2024

29.07.2024