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IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED : 12.04.2024**

CORAM

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM**

**W.P.No.22218 of 2023**  
**and**  
**W.M.P.No.21602 of 2023**

Rajalakshmi

... Petitioner

Vs.

1.Bureau of Immigration  
Ministry of Home Affairs,  
Government of India,  
Represented by its Commissioner (Immigration),  
Shastri Bhawan, Annexe Building,  
26, Haddows Road, Nungabakkam,  
Chennai – 600 006.

2.Foreign Regional Registration Officer  
(FRRO) Chennai,  
No.26, Shastri Bhawan Annexe Building,  
26, Haddows Road, Nungambakkam,  
Chennai – 600 006.

3.Indian Bank,  
Stressed Assets Management Branch,  
Zonal Office Building,  
2<sup>nd</sup> Floor, 55, Ethiraj Salai,  
Egmore, Chennai – 600 008.

... Respondents



**Prayer:** Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Declaration, direction of like nature that the action of the respondents in issuing Look Out Circular against the Petitioner and not permitting the petitioner to travel abroad is highly illegal, arbitrary, unreasonable, unfair and without authority of law and in violation of Articles 14, 19 and 21 of the Constitution of India.

|                |                                                     |
|----------------|-----------------------------------------------------|
| For Petitioner | : Mr.M.Bharath                                      |
| For R1 & R2    | : Mrs.R.Durgarani<br>Central Govt. Standing Counsel |
| For R3         | : Mr.T.Sundar Rajan                                 |

### **ORDER**

The Writ of Declaration has been instituted to declare the look out circular issued by the 3<sup>rd</sup> respondent / Indian Bank is in violation of Articles 14, 19 and 21 of the Constitution of India.

2. It is not in dispute between the parties that the petitioner borrowed loan from the 3<sup>rd</sup> respondent / Indian Bank and the due as on today is approximately Rs.1,87,78,538/- Crores.

3. The learned counsel for the 3<sup>rd</sup> respondent / Bank would submit that



in the event of allowing the petitioner to travel abroad, the Bank may not be in a position to recover the dues. The petitioner was the Director of the Company and her sister was also a Director and a Guarantor. Therefore, she is accountable in respect of the loan dues to be paid to the 3<sup>rd</sup> respondent.

4. It is further brought to the notice of this Court that the 3<sup>rd</sup> respondent / Bank filed a complaint and the Criminal Case has been registered by the Central Crime Branch, Veppery, Chennai in Crime No.29 of 2022 under Sections 294(b), 406, 420 and 506(i) read with 34 Indian Penal Code (I.P.C). When a Criminal Case has been registered by the Central Crime Branch, the petitioner has to approach the jurisdictional Criminal Court for the purpose of defending her case or to seek further relief in the manner known to law.

5. With these observations, this Writ Petition stands dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

**12.04.2024**

Jeni  
Index : Yes  
Speaking order  
Neutral Citation : Yes



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To

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**S.M.SUBRAMANIAM, J.**

Jeni

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