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W.P.No.29518 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.10.2024

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.29518 of 2024

And

W.M.P.No.32176 of 2024

Dr.Puviarasan Sakthivel

... Petitioner

Vs.

1.Foreigners Regional Registration Officer,
FRRO – Chennai
No.26, Shastri Bhavan Annex Building,
Haddows Road,
Nungambakkam,
Chennai – 600 006.

2.National Board of Examinations in Medical Sciences
Rep. by its Chairperson
Medical Enclave, M G Mar
Ring Road, Ansari Nagar,
New Delhi – 110 029.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the entire records connected with the impugned email communication of the first respondent dated 09.09.2024 sent to the petitioner's email, namely, "puvipriyan1995@gmail.com" and quash the same and consequently, direct the first respondent to issue the Travel details (departure and arrival entires) of the petitioner's old Passport No.J9114507 to the



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petitioner and the second respondent and for a further direction to the second respondent to issue appropriate certificate to the petitioner, within a time frame fixed by this Hon'ble Court.

For Petitioner : Mr.S.Sathia Chandran

For Respondents : Mr.B.Ram Prabu for R1
Mr.R.Thirunavukkarasu for R2

O R D E R

The petitioner has filed this writ petition seeking issuance of Writ of Certiorarified Mandamus calling for the entire records connected with the impugned email communication of the first respondent dated 09.09.2024 sent to the petitioner's email, namely, "puvipriyan1995@gmail.com" and quash the same and consequently, direct the first respondent to issue the Travel details (departure and arrival entires) of the petitioner's old Passport No.J9114507 to the petitioner and the second respondent and for a further direction to the second respondent to issue appropriate certificate to the petitioner, within a time frame fixed by this Court.

2.The learned counsel appearing for the petitioner submitted that the petitioner after completing the XII Standard, applied for MBBS in Yerevan State Medical University, Armenia and he got admission in



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the said University. During October, 2012, the petitioner travelled to Armenia and joined the course and successfully completed the same in the year 2020. During his stay at Armenia in July, 2020, he lost his passport and other IDs due to inadvertence.

3.The learned counsel appearing for the petitioner further submitted that immediately on 16.07.2020, the petitioner made complaint before the Police Station of Arabkir District, Yerevan City with regard to the loss of his Indian Passport No.J9114507 and ID cards. Subsequently, a Certificate in No.16/6-U-108 dated 16.07.2020 was issued by the Arabkir District Police to Indian Embassy. Thereafter, the petitioner approached the Indian Embassy in Yerevan and applied for re-issue of passport and after due process, the Indian Embassy in Yerevan issued a new passport with Passport No.T9715262 dated 10.08.2020 valid till 09.08.2030.

4.The learned counsel appearing for the petitioner further submitted that thereafter the petitioner returned to India during November, 2020 and also completed the Foreign Medical Graduate Examination. Thereafter, the petitioner applied for registering himself



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as a medical practitioner before the National Board of Examinations in Medical Science, however, the second respondent refused to issue the Exam Clearance Certificate for want of entry and exit details in the passport since he completed his course in a foreign country.

5.The learned counsel appearing for the petitioner further submitted that thereafter, the petitioner approached the Foreigners Regional Registration Office, Delhi and requested them to furnish the copy of the entries made in the old passport, however, they directed the petitioner to approach the first respondent. Hence, the petitioner approached the first respondent and requested them to furnish the copy of the entries made in the old passport, however, the petitioner's request was rejected on the ground that the travel details cannot be provided to the individual persons. The learned counsel further submitted that the petitioner did not ask for the travel details of other persons and he sought only his travel details since he lost his old passport, however, the first respondent rejected the same, which is not sustainable one.

6.The learned counsel appearing for the first respondent submitted that if the second respondent seeks the travel details of the



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petitioner, the same will be provided to the second respondent, however, the petitioner is not entitled to receive the same.

7. Heard the arguments advanced on either side and perused the materials available on record.

8. Admittedly, the petitioner after completing the XII Standard, applied for MBBS in Yerevan State Medical University, Armenia and he got admission in the said University and he successfully completed the same in the year 2020. During his stay at Armenia he lost his passport and other IDs due to inadvertence. Immediately, the petitioner made complaint before the Police Station of Arabkir District, Yerevan City and a Certificate in No.16/6-U-108 dated 16.07.2020 was issued by the Arabkir District Police to Indian Embassy. Thereafter, the petitioner approached the Indian Embassy in Yerevan and obtained a new passport with Passport No.T9715262 dated 10.08.2020.

9. Thereafter the petitioner returned to India during November, 2020 and completed the Foreign Medical Graduate Examination and he applied for registering himself as a medical practitioner before the National Board of Examinations in Medical Science, however, the



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second respondent refused to issue the Exam Clearance Certificate for want of entry and exit details in the passport since he completed his course in a foreign country. Hence, the petitioner approached the Foreigners Regional Registration Office, Delhi and requested them to furnish the copy of the entries made in the old passport, however, they directed the petitioner to approach the first respondent. Therefore, the petitioner approached the first respondent and requested them to furnish the copy of the entries made in the old passport, however, the petitioner's request was rejected on the ground that the travel details cannot be provided to the individual persons, however stated that they are ready to provide the details to the second respondent.

10.The petitioner did not ask for the travel details of any third party and he sought only his travel details since he lost his old passport. Hence, the impugned order rejecting the request of the petitioner is not sustainable one.

11.This Court directs the first respondent to furnish the travel details of the petitioner to the petitioner as well as to the second respondent, within a period of two weeks from the date of receipt of a copy of this order so as to enable the second respondent to issue



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appropriate Certificate to the petitioner.

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12.The writ petition is disposed of in the above terms. No costs.

Consequently, the connected miscellaneous petition is closed.

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Speaking Order/ Non Speaking Order

Index: Yes/ No

Internet: Yes/ No

To

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