



Writ Petition No.29293 of 2025

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

WEB COPY

**DATED: 18.08.2025**

**CORAM**

**THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH**

**Writ Petition No.29293 of 2025**

Clemens Bernd Gruttman  
S/o.Theodor Gruttman

Petitioner

Vs

1. Union of India  
Rep. By Joint Secretary, Foreigners-I,  
Ministry of Home Affairs,  
Major Dhyan Chand National Stadium,  
Near Pragati Maidan, New Delhi-110 001.

2.Union of India,  
Rep. By Director, Immigration,  
Ministry of Home Affairs,  
Major Dhyan Chand National Stadium,  
Near Pragati Maidan, New Delhi-110 001.

3.Foreigners Regional Registration Office,  
No.26, Shastri Bhawan Annexe Building,  
26, Haddows Road, Nungambakkam,  
Chennai-600 006.

4.The Deputy Superintendent of Police,  
Idol Wing CID, North Zone,  
Police Training College, No.2, Natesan Salai,  
Ashok Nagar, Chennai-600 083.

5.The Inspector of Police,  
Idol Wing CID, Police Training College,  
No.2, Natesan Salai, Ashok Nagar,  
Chennai-600 083.

Respondents



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Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus directing the respondents 1 to 3 to consider the petitioner's representation dated 29.04.2025, process his visa and permit his re-entry into India.

For Petitioner : Mr.T.Sai Krishnan

For Respondents : Mr.V.Chandrasekaran, SPC [R1 to R3]  
Mr.V.Meganathan  
Government Advocate [Crl.side]  
[R4 & R5]

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### **ORDER**

This writ petition has been filed seeking issuance of a writ of mandamus directing the respondents 1 to 3 to consider the representation made by the petitioner on 29.04.2025 wherein the petitioner requested the respondents to reconsider their decision blacklisting the petitioner and to grant visa to the petitioner in order to enable the petitioner to re-enter into India.

2. Heard Mr.T.Sai Krishnan, learned counsel for petitioner and Mr.V.Chandrasekaran, learned Senior Panel Counsel appearing for respondents 1 to 3 and Mr.V.Meganathan, learned Government Advocate [Crl.side] appearing for respondents 4 and 5.

3. The petitioner is a German citizen and he was originally

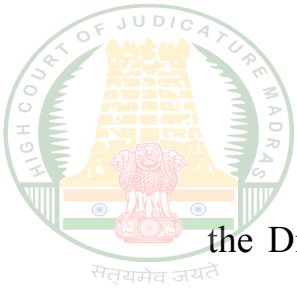


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issued visa. Thereafter, he was denied entry into India on the ground that he has been blacklisted. The same was put to challenge by the petitioner in W.P.No.1776 of 2024. This writ petition came to be dismissed by order dated 03.09.2024. This order was confirmed by the Division Bench in W.A.No.844 of 2025 by order dated 23.04.2025.

4. Pursuant to the above order passed by this Court, the petitioner has made a representation dated 29.04.2025 to the respondents 1 and 2 requesting the respondents to reconsider the decision taken by them to blacklist the petitioner and to remove the name of the petitioner from blacklisting and to issue visa to the petitioner for his re-entry into India. Since the same was not considered, the present writ petition has been filed before this Court.

5. When the matter was taken up for hearing today, the status report of the fourth respondent was placed before this Court. It is seen that a criminal case is now pending in Crime No.34 of 2022. The case involves 20 antique idols, which is said to have been attempted to be exported from India. The investigation is at the stage of completion in this case and the Sub-Inspector of Police has sent a requisition letter to



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the Director General of Archaeological Survey of India, New Delhi, to issue sanction for prosecution against the accused persons. In order to complete the investigation, steps are also being taken to secure the accused persons for interrogation. It is stated that some time is required to file a police report on completion of investigation.

6. Learned Senior Panel Counsel appearing on behalf of respondents 1 to 3 submitted that the petitioner has already approached this Court by questioning his blacklisting and he not being permitted to re-enter India. This claim made by the petitioner was rejected by the learned Single Judge and it was also confirmed by the Bench. Therefore, it was contended that the petitioner cannot once again re-open the same issue by way of giving a representation to the respondents. Accordingly, the learned Senior Panel Counsel sought for the dismissal of the writ petition.

7. In the considered view of this Court, it is not necessary to go into the merits of this case. After the dismissal of the writ petition filed by the petitioner, which was confirmed by the Division Bench, the petitioner has submitted a representation dated 29.04.2025 requesting the



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respondents to re-consider their decision and remove the name of the petitioner from blacklisting and to issue visa to the petitioner. The status report filed by the fourth respondent shows that the petitioner is one of the witness in this case and his name has also been included in the list of witnesses. If ultimately, the petitioner has to depose before the Court in order to prove the case, the respondents will have to find a way to ensure that the petitioner is present in India for effectively proceeding further with the criminal case. This should be kept in mind by the respondents while dealing with the visa application submitted by the petitioner.

8. There shall be a direction to the respondents 1 to 3 to deal with the representation made by the petitioner dated 29.04.2025 and to convey the decision to the petitioner within a period of four (4) weeks from the date of receipt of a copy of this order.

This writ petition is disposed of with the above direction. No costs.

**18.08.2025**

Neutral Citation: Yes/No  
Index: Yes/no  
Speaking Order/Non-Speaking Order  
gm

**N.ANAND VENKATESH, J**



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gm

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- To
- 1.The Joint Secretary,  
Union of India  
Foreigners-I, Ministry of Home Affairs,  
Major Dhyan Chand National Stadium,  
Near Pragati Maidan, New Delhi-110 001.
  - 2.The Director,  
Union of India,  
Immigration, Ministry of Home Affairs,  
Major Dhyan Chand National Stadium,  
Near Pragati Maidan, New Delhi-110 001.
  - 3.Foreigners Regional Registration Office,  
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  - 4.The Deputy Superintendent of Police,  
Idol Wing CID, North Zone,  
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