



WEB COPY

WP No. 43308 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-11-2025

CORAM

THE HONOURABLE MR JUSTICE M.DHANDAPANI

WP No. 43308 of 2025

S.Ruth

Petitioner(s)

Vs

1. The State of Tamilnadu
Rep. By its Principal Secretary to
Government
Public (Foreigners II) Department
Secretariat, Chennai
- 2.The District Collector Cum Camp
Officer
Special Camp For Foreigners,
Central Prison Campus, Tiruchirapalli.
- 3.The Joint Review Committee
O/o. Q Branch CID,
Mylapore, Chennai 04
- 4.The Deputy Collector (incharge)
Special Camp, Kottappattu,
Tiruchirapalli 620 023
- 5.The Superintendent Of Police
Q Branch CID, Chennai.
- 6.The Inspector Of Police,
Q Branch CID, Mylapore, Chennai.

Respondent(s)

PRAYER: This writ petition is filed under Article 226 of Constitution of India,



to issue a Writ of Mandamus, directing the respondents to consider petitioner representation dated 6.08.2025 and de-lodge the petitioner's husband namely 1) Palani Sheron and his brothers 2) Palani Kenistar Glorian and 3) Palani Remoson Glorian from 4th respondent Special Camp, Trichy to Refugees camp at Chennai.

For Petitioner(s): Mr.Swami Subramanian
For Respondent: Mr.S.Balaji, GA (Crl Side)
for RR3,5 & 6
Mr.M.Rajendiran, AGP
RR1, 2 & 4

ORDER

This petition has been filed seeking a direction to the respondents to consider petitioner representation dated 6.08.2025 and de-lodge petitioner husband namely 1) Palani Sheron and his brothers 2) Palani Kenistar Glorian and 3) Palani Remoson Glorian from 4th respondent Special Camp, Trichy to Refugees camp at Chennai.

2. It is the case of the petitioner that the petitioner is a Sri Lankan Citizen. Due to life threat at Srilanka, the petitioner's husband and his two brothers fled to India to save their lives and settled at Chennai. Thereafter, the petitioner along with her children, joined her husband at India and lead a peaceful life. On 28.03.2023 based on a secret information, the 6th respondent herein conducted enquiry and found that the petitioner's husband and his brothers had suppressed the fact that they were Srilankan Nationals and obtained Pan card, Aadhar Card, Driving License as Indian Nationals. Further, the 6th respondent registered a case in Cr.No.1 of 2023 for offence under Section 465, 468, 471 of IPC read



with Section 14C of Foreigners Act, 1946 and later granted bail by the learned Judicial Magistrate-I, Alandur vide order dated 29.05.2023 with certain conditions. On 09.06.2023 based on the requisition given by the 5th respondent, the first respondent passed a GO (ID) No.207 by exercising their powers conferred under Section 3(2)(e) of Foreigners Act restricting the movement of the petitioner's husband and his brothers by ordering them to reside in the Special Camp identified and located by the second respondent. Thereafter, on 12.08.2025 the petitioner sent a representation to the respondents to de-lodge the petitioner's husband and his two brothers from the 4th respondent Special Camp, Trichy to Refugees camp at Chennai and the same was not considered. Hence, the present writ petition.

3. The learned counsel for the petitioner submitted that this Court may direct the respondents to consider and pass orders on the petitioners representation within the stipulated time as fixed by this Court.

4. The learned Government Advocate (Crl side) appearing for the respondent has strongly resisted the release of the petitioner's husband and his two brothers from the Special Camp on the ground that they were involved in creating fake Indian identity cards. The respondents have also questioned the locus standi of the petitioner to seek for his de-lodgment on the ground that they are foreign national and the State can always impose restriction on their



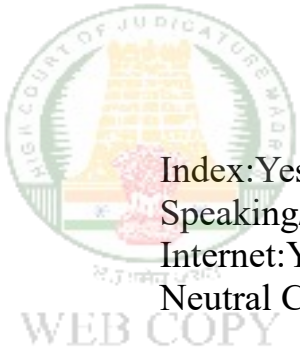
movements and the same is well within the powers given under the Foreigners Act. That apart, the Special Camp in which the petitioner has been permitted to stay cannot be considered to be an illegal detention and considering the criminal case as against the petitioner's husband and his two brothers and the nature of the crime committed by them, the request made by the petitioner for de-lodgment from the Special Camp to Refugees Camp could not be considered. Hence, this Court may dismiss the writ petition.

5. Heard the learned counsel for both side and perused the materials available on record.

6. Admittedly, the petitioner's husband and his two brothers were illegally entered into India and obtained Aadhar Card, Pan Card and Driving License. The respondents are opposing the de-lodgment of the petitioner from the Special Camp at Trichy considering the pendency of the criminal cases against them. Under Such circumstances, it is not legally permissible for this Court to exercise its jurisdiction under Article 226 of Constitution of India. Therefore, the relief sought for by the petitioner cannot be granted by this Court. Accordingly, the writ petition is dismissed. No costs.

12-11-2025

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Index: Yes/No
Speaking/Non-speaking order
Internet: Yes
Neutral Citation: Yes/No

To

1. The State Of Tamilnadu
Rep. By Its Principal Secretary To
Government Public (foreigners li)
Department Secretariat Chennai
2. The District Collector Cum Camp
Officer
Special Camp For Foreigners, Central
Prison Campus Tiruchirapalli
3. The Joint Review Committee
O/o. Q Branch Cid Mylapore Chennai
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