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W.P. No.11432 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.04.2026

CORAM:

THE HON'BLE MR. JUSTICE M. DHANDAPANI

W.P.No.11432 of 2026

and

W.M.P. No.12454 of 2026

Agambal Meiyappan

..Petitioner

Vs

1. The Joint Secretary (Foreigners Division)
Ministry of Home Affairs, Government of India
Jaisalmer House, 26 Mansingh Road
New Delhi 110011.
2. The Chief Immigration Officer / FRRO
No.26 Shastri Bhavan Annexe, Haddows Road
Nungambakkam, Chennai 600 006.
3. The Commissioner
Rehabilitation and Welfare of Non-Resident
Tamils
4th Floor, Ezhilagam Annexe, Chepauk
Chennai 600005.

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, for the issuance of a Writ of Mandamus directing the 1st and 2nd respondents to consider and remove the name of the petitioner's son Mr.Meiyappan



W.P. No.11432 of 2026

Niraikumar, from the MHA/Bureau of Immigration Blacklist, and consequently consider and grant an emergency entry visa to him on humanitarian and medical grounds within a time frame to be fixed by this Court and pass.

(b) May be pleased to direct the respondents to grant an emergency entry visa to Mr.Meiyappan Niraikumar as expeditiously as possible, on humanitarian and medical grounds.

For Petitioner : Mr. K. Venkatesan
For Respondents : Mr.Venkatasamy Babu
Senior Panel Counsel

ORDER

This writ petition has been filed by the petitioner, who is a septuagenarian, seeking issuance of a Writ of Mandamus directing the respondents to remove the blacklisting imposed against her son, Mr. Niraikumar Meiyappan, and consequently to grant him an emergency visa to enter India and take care of her, who is in a critical medical condition.

2. The case of the petitioner, in brief, is that she is a Sri Lankan Tamil refugee residing in Tamil Nadu for several decades. The petitioner and her late husband were recognized as persons of Indian origin and were granted Overseas Citizen of India (OCI) status. The petitioner's son, Mr. Niraikumar Meiyappan, though a Sri Lankan national by birth, had resided in India during the year



1987. It is the further averment that during his minority, an Indian passport was obtained in the name of petitioner's son, which was based on a declaration made by the petitioner's deceased husband, without the knowledge of the minor son, and thereafter due to overstay Foreigner (Old Passport No.N6237732), the petitioner's son name was placed under blacklisting category. Subsequently, it came to light and thereafter the petitioner's son voluntarily surrendered the said passport before the Passport Office at Tiruchirappalli. Thereafter, the respondents, after collecting a penal amount of Rs.1,34,875/- towards the period of overstay i.e., from 22.08.1987 and afterwards, permitted the petitioner's son to exit India through Tiruchirappalli Airport on 27.04.2018. However, it is the grievance of the petitioner from that period onwards, the petitioner's son has been placed under blacklist categories 'B' and 'C3', resulting in denial of entry into India. In the affidavit, it is stated that the petitioner's son -Srilankan Passport bearing No.N7434514 and the date of birth as 29.09.1975. In the above circumstances, the petitioner has filed this writ petition seeking appropriate reliefs on humanitarian consideration.

3. Learned counsel for the petitioner submitted that the petitioner's son had no role in the alleged irregularity, as the passport was obtained when he was a minor i.e., at the age of 13 years by petitioner's husband. He further pointed out that the petitioner's son had surrendered the passport voluntarily and that no criminal case has ever been registered by the Law enforcing agency against the



petitioner's son during his entire period of stay in India. He strongly argued that the continued blacklisting is arbitrary and disproportionate, especially in the absence of any adverse record.

4. Learned counsel for the petitioner further submitted that the petitioner is presently bedridden and suffering from severe ailments, including Rheumatoid Arthritis, and is in a critical condition. He further contended that the presence of her son is medically and emotionally necessary. Despite submission of representation dated 20.02.2026 seeking removal of blacklisting and grant of emergency visa, no orders have been passed, compelling the petitioner to approach this Court. In view of the above, he prayed for issuance of appropriate directions in this regard.

5. Per contra, the learned Senior Panel Counsel appearing for the respondents submitted that the petitioner's son had overstayed in India for a considerable period during the year 1987 and thereafter without valid authorization. Therefore, in accordance with the applicable rules, the petitioner's son name was blacklisted and thereby his entry to our Country is restricted. However, he submitted that this Court may issue suitable directions in the above regard.

6. This Court has carefully considered the submissions made on either side and perused the materials placed on record, including the records produced by the respondents.



7. It is not in dispute that the petitioner's son had overstayed in India for a prolonged period. However, it is also evident that such stay commenced when he was a minor and that the earlier passport had been obtained based on the declaration of his father. This Court perused the records submitted by the respondents, which was placed in a sealed cover in respect of the subject issue. On perusal of records, it discloses that the petitioner's son had voluntarily surrendered the passport and paid the penal charges as demanded by the authorities concerned. Thus it is crystal clear that there is no material placed before this Court to show that any criminal proceedings have been initiated against the petitioner's son or that there exists any adverse report from the law enforcing agencies warranting permanent denial of entry.

8. In the absence of any such adverse material, the continued blacklisting of the petitioner's son, particularly in the facts and circumstances of the present case, appears to be disproportionate. This is more so considering the humanitarian grounds projected by the petitioner, who is a senior citizen aged 72 years and she is now in the stage of bedridden and in need of immediate care and assistance from her son.

9. Taking into account the above facts and circumstances, this Court is of the view that a limited relief can be granted to the petitioner on humanitarian grounds without expressing any opinion on the merits of the blacklisting.



W.P. No.11432 of 2026

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10. Accordingly, this writ petition is disposed of with the following directions:

(i) The petitioner's son, Mr. Niraikumar Meiyappan, is directed to submit an application for grant of emergency Visa before the High Commission of India, Colombo, Srilanka along with a copy of this order, within a period of one week from the date of receipt of a copy of this order;

(ii) Upon receipt of such an application, the Indian High Commission, Colombo, in coordination with the respondents are directed to consider the said application for grant of emergency Visa, on its own merits and in accordance with law, taking into account the humanitarian grounds, and pass appropriate orders within a period of two weeks thereafter;

(iii) While considering the said application, the respondents shall also consider the request for removal of the blacklisting, by imposing certain conditions.

(iv) Registry is directed to mark a copy of this order to the Indian High Commission, Colombo, so as to enable the said authority to pass appropriate orders in coordination with



W.P. No.11432 of 2026

**the respondents herein on the application submitted by the
petitioner's son.**

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No costs. Consequently, connected miscellaneous petition is closed.

06.04.2026

Index : Yes / No

Speaking Order / Non-speaking order

Neutral Citation Case : Yes / No

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Note to Office :

**Issue order copy on or
before 08.04.2026**



W.P. No.11432 of 2026

To

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W.P. No.11432 of 2026

M. DHANDAPANI, J.

vsi2

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