

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.08.2016

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.26910 of 2016

S.Raghavan ... Petitioner
Vs.

1. The Immigration Officer,
Bureau of Immigration,
Sastri Bhavan,
Haddows Road, Chennai-600 006.
2. The Foreigners Regional Registration Officer,
Sastri Bhavan, Annex Building,
Nungambakkam, Chennai-600 034.
3. S.K.Vidhya ... Respondents
(R3 impleaded as per the order dated 31.08.2016
made in WMP.No.26329 of 2016]

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents to consider the petitioner's representations dated 08.07.2016 and 16.07.2016 as expeditiously as possible by passing appropriate orders.

For Petitioner : M/s.C.Rajan

For Respondents : Mr.Su.Srinivasan
Assistant Solicitor General
for R1

O R D E R

By consent this Writ Petition is taken up for final disposal.

2. The petitioner would state that he, having qualified in B.Sc., Agriculture, got Postgraduate Degree, namely Master of Business Administration (M.B.A.) and subsequently pursued his higher studies in Master in Agribusiness at University of Adelaide, Australia and worked in various organizations. The petitioner would further state that he married one S.K.Vidya as per the wishes of his parents, according to Hindu Rites and Customs on 24.06.2009 and it was also registered before the Registrar of Marriages at T.Nagar, Chennai. The petitioner, after his marriage, was residing along with his wife and

parents at No.6/27, Mogappair West, Chennai-600 037 and thereafter, moved to a new house at SSSP Apartment, Vellalar Street, Mogappair West, Chennai-600 037 and his wife had completed her B.E. and was employed in Infosys, Sholinganallur. It is also stated by the petitioner that out of wedlock a male child, namely Anirudh was born on 13.10.2012 and thereafter, there was difference of opinion between them and in a public place, his wife had picked up quarrel and assaulted him and in this regard, he has also lodged a complaint on the file of J.J.Nagar Police Station, which was registered as Crime No.210 of 2016 for the offences under Sections 341, 294(b), 323 and 506(i) IPC and it is pending trial and Non-Bailable Warrant (NBW) was also issued against his wife. The wife of the petitioner moved an application for anticipatory bail in Crl.O.P.No.13515 of 2016 and this Court passed an order dated 05.07.2016, directing her to appear before the lower Court for the purpose of recalling the NBW and she has also appeared and it was recalled. The petitioner also filed a petition for divorce in H.M.O.P.No.55 of 2016 on the file of the Sub-Court, Poonamallee on the ground of cruelty and his wife had also filed O.P.No.2487 of 2016 for restitution of conjugal rights. The petitioner, apprehending that in connection with her job, his wife is likely to go abroad, has submitted representations dated 08.07.2016 and 16.07.2016 to the respondents to do the needful and since no orders has been passed, came forward with this writ petition.

3. Heard the submissions of the learned counsel appearing for the petitioner and Mr.Su.Srinivasan, learned Assistant Solicitor General who accepts notice on behalf of the first respondent.

4. This Court, taking into consideration the limited scope of prayer sought for by the petitioner and without going into the merit of the claim projected by the petitioner, either in his representations or in this writ petition, directs the first respondent to consider and dispose of the petitioner's representations dated 08.07.2016 and 16.07.2016 in accordance with law, after putting on notice the third respondent and pass orders as expeditiously as possible and not later than eight weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner as well as the third respondent.

5. This Writ Petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar (CS V)

//True Copy//

jvm

To

1. The Immigration Officer,
Bureau of Immigration,
Sastri Bhavan,
Haddows Road, Chennai-600 006.
2. The Foreigners Regional Registration Officer,
Sastri Bhavan, Annex Building,
Nungambakkam, Chennai-600 034.

+2cc's to Mr.C.Rajan, Advocate, S.R.No.49378

W.P.No.29610 of 2016

VGI (CO)
CA (15/09/2016)



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