

THE HON'BLE SRI JUSTICE RAVI CHEEMALAPATI

WRIT PETITION NO.11602 OF 2023

ORDER:

The present Writ Petition is filed, under Article 226 of the Constitution of India, seeking the following relief:

“to issue order or direction more particularly in the nature of Writ of Mandamus, declaring the action of the Respondents in issuing LOC against the petitioner as illegal, arbitrary, violation of principles of natural justice and violation of Articles 14, 19(1)(g) and 21 of the Constitution of India and consequently set-aside the same and pass such other order or orders.....”

2. The short grievance of the petitioner is that respondent No.4 has issued Look Out Circular against the petitioner, even though no criminal case is pending against him, solely on the ground that his father is an accused in CID and ED cases.

3. Heard Sri L.Ravichendar, learned senior counsel representing Sri P.S.P.Suresh Kumar, learned counsel for the petitioner, Sri N.Harinath, learned Deputy Solicitor General of India appearing for respondent Nos.1 and 2 and Sri Josyula Bhaskara Rao, learned standing counsel for Enforcement Directorate appearing for respondent No.3.

4. Learned senior counsel for the petitioner, in elaboration to what has been stated in the affidavit contended that, without there being any criminal case registered against the petitioner, on the mere ground that a criminal case is pending against petitioner's father, the respondent authorities have issued Look Out Circular against the petitioner, which is unreasonable and contrary to law, as such, filed the present Writ Petition and prayed to pass appropriate orders.

5. On the other hand, learned standing counsel for respondent No.4 submitted that, appropriate order may be passed in the light of the facts of the case. However, a request was made to direct the petitioner to submit new passport particulars to the respondent authorities.

6. To the said submission, learned counsel for the petitioner reported no objection.

7. Taking the submissions of both the counsel into consideration, without going into the merits of the case, as there is no purpose in keeping this Writ petition pending, this Court is inclined to dispose of the Writ petition, with the consent of both the parties, at the stage of admission with the following direction:

1) The petitioner is at liberty to make an application to the concerned authority for withdrawal of LOC with an undertaking to submit passport particulars soon after the same is renewed.

2) On such submission of the application by the petitioner, the respondent authorities are directed to consider the same in accordance with law.

8. Accordingly, the Writ petition is disposed of. There shall be no order as to costs.

As a sequel thereto, interlocutory applications pending, if any in the writ petition, shall also stand closed.

JUSTICE RAVI CHEEMALAPATI

09.05.2023

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