

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.08.2016

CORAM

THE HON'BLE MR.SANJAY KISHAN KAUL, CHIEF JUSTICE
and
THE HON'BLE MR. JUSTICE R.MAHADEVAN

W.A.No.475 of 2008
and
M.P.No.1 of 2008

- 1.Dohanavur Fellowship,
now rep. by Secretary R.David Rajamanian,
Dohnavur, Nanguneri Taluk,
Tirunelveli District.
- 2.R.David Rajamanian,
Secretary Dohnavur,
Fellowhip, Nanguneri Taluk,
Tirunelveli District.
- 3.R.Ezekiel Devairakkam
- 4.D.R.Jeremiah Rajanesan ... Appellants

Vs.

- 1.A.Thiyaja
- 2.The Director (FCRA),
Monitoring Unit,
Minister of Home Affairs,
Block No.3, GCO Road,
Lodhi Complex, New Delhi.
- 3.The Superintendent of Police,
Central Bureau of Investigation (SPE-ACB),
Rajaji Bhavan, Besant Nagar,
Chennai.
- 4.The Director General of Police,
Chennai.
- 5.The Deputy Director,
Subsidiary Intelligence Bureau,
Chennai. .. Respondents

(Respondent No.4 & 5 impleaded vide
order dt.23.4.2008)

Appeal filed under Clause 15 of Letters Patent against the order dated 02.4.2008 in W.P.M.P.No.347 of 2008 in w.P.No.11881 of 2004 on the file of this Court.

WP.No.11881 of 2004: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to direct the respondents 1 and 2 to complete the process of Investigation carried on against the 3rd respondent on the basis of the representations dated 05.06.2003 followed by reminders dated 08.03.2004 and 26.03.2004 under section 28 of the Foreign Contribution (Regulation) Act 1976 to register the case against the Respondents 3 to 6 and persons assisting those respondents and to take criminal and adjudicatory action for the various offences and violations of foreign contribution (Regulation) Act 1976 within a time frame to be fixed by this Honble Court.

For Appellant ... Mr.Paul
for
M/s.Paul and Paul

For Respondents .. Mr.N.S.Nandakumar for R1
Mr.Srinivasan for CBI R3
Mr.T.N.Rajagopalan
Spl. G.P. for R4 & R5
No Appearance R2

* * * * *

JUDGMENT

(Judgment of the Court was made by The Hon'ble Chief Justice)

We find that the writ appeal is directed against the interim order passed in WMP.No.347 of 2008 and the said order was stayed vide order dated 28.4.2008 passed in M.P.No.1 of 2008 in W.A.No.475 of 2008. The position thus is that for the last eight years, neither the writ petition has been heard, nor the appeal decided.

2. We see no purpose in keeping the appeal alive and thus the arrangement during the pendency of the appeal would continue to prevail till the writ petition is decided.

3. The writ appeal, accordingly, stands disposed of. No costs. Consequently, M.P.No.1 of 2008 is closed.

-s/d-
Assistant Registrar(CSVI

True Copy

Sub-Assistant Registrar

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To

- 1.The Superintendent of Police,
Central Bureau of Investigation (SPE-ACB),
Rajaji Bhavan, Besant Nagar,
Chennai.
- 2.The Director General of Police,
Chennai.
- 3.The Deputy Director,
Subsidiary Intelligence Bureau,
Chennai.

+1 cc to M/s.Paul & Paul Advocates sr.44144
+1 cc to Mr.N.S.Nandakumar Advocate sr.44308

W.A.No.475 of 2008

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