

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.10.2016

CORAM

THE HONOURABLE MR. JUSTICE B.RAJENDRAN

W.P.No.20541 of 2016 and
WMP.No.17642 of 2016

Sherna F Irani

... Petitioner

Vs.

1. The Deputy Director,
Office of the Joint Director,
Directorate of Enforcement,
Government of India,
Chennai Zonal Office,
2nd and 3rd Floor,
Murugappa Naicker Complex,
No.84, Greams Road,
Chennai-86.

2. The Manager,
Lakshmi Vilas Bank,
Mount Road Branch,
Chennai-2.

3. The Manager,
Karur Vysia Bank,
Whites Road Branch,
Chennai-2.

... Respondents

Writ Petition is filed under Article 226 of the Constitution of India to India for the issuance of a Writ of Mandamus, forbearing the 1st respondent from preventing the petitioner to operate her bank account No.042930100002412 in the 2nd respondent bank and No.1219175000000644 in the 3rd respondent bank and also the Fixed Deposits held by her in the 1st and 2nd respondent banks, unless and otherwise in accordance with the provisions of Prevention of Money Laundering Act, 2002.

For Petitioner

: Mr.Arvind P. Datar,

Senior Counsel
for M/s.N.Anand Venkatesh
For 1st Respondent : Mr.M.Dhandapani
For Respondents 2&3 : Mr.S.Pradeepan

ORDER

The Writ Petition is filed praying to issue a Writ of Mandamus, forbearing the 1st respondent from preventing the petitioner to operate her bank account No.042930100002412 in the 2nd respondent bank and No.1219175000000644 in the 3rd respondent bank and also the Fixed Deposits held by her in the 1st and 2nd respondent banks, unless and otherwise in accordance with the provisions of Prevention of Money Laundering Act, 2002.

2. When the matter is called today, the learned Counsel for the 1st respondent filed a counter in which in para 23 it has been stated as follows:

"I humbly submit that the contents of Para 10 of the Affidavit filed by the petitioner herein, in the W.P.No.20541/2016 are not correct and not maintainable in law, inasmuch as the Account No.042930100002412 in the 2nd respondent bank and No.1219175000000644 in the 3rd respondent bank have not been attached vide Provisional Attachment Order No.13/2016 dated 16.06.2016. Subsequent to the said Provisional Attachment Order, necessary written communications

were sent to respondent-2 and respondent-3 herein informing them to allow the petitioner herein along with her husband and family members to operate their Saving Bank Accounts, apart from the Fixed Deposits attached provisionally vide order No.13/2016 dated 16.06.2016 held with the respondent Banks 2 and 3 herein."

3. The learned Counsel for the 1st respondent would submit that the 23rd paragraph in their counter affidavit may be recorded and the Writ Petition may be closed.

4. Accordingly, the same is recorded and the Writ Petition is closed. No costs. Consequently, connected Miscellaneous Petition is closed.

25.10.2016

Index : Yes/No

Internet:Yes/No

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To

1. The Deputy Director,
Office of the Joint Director,
Directorate of Enforcement,
Government of India, Chennai Zonal Office,
2nd and 3rd Floor, Murugappa Naicker Complex,
No.84, Greams Road, Chennai-86.

B.RAJENDRAN, J.
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2. The Manager,
Lakshmi Vilas Bank,
Mount Road Branch,
Chennai-2.
3. The Manager,
Karur Vysia Bank,
Whites Road Branch,
Chennai-2.

W.P.No.20541 of 2016

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