

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH

[Special Original Jurisdiction]

MONDAY THE TWENTYSIXTH DAY OF SEPTEMBER, 2016

PRESENT
HONOURABLE SRI JUSTICE SURESH KUMAR KAIT

WRIT PETITION NO. 32644 OF 2016

Between:

Gurajala Venkateswara Rao

...

Petitioner

V/s.

Union of India
Rep by its Joint Secretary,
Ministry of Finance [Dept. of Revenue]
Central Secretariat
New Delhi & Anr.

...

Respondents



Counsel for the Petitioner:

Sri M. Janardhan Rao

Counsel for the Respondents:

Sri P.Vishnuvardhan Reddy
SC for Central Government

The court made the following:

[order follows]

HONOURABLE SRI JUSTICE SURESH KUMAR KAITWRIT PETITION NO. 32644 OF 2016ORDER :

This writ petition is filed by the petitioner seeking writ of mandamus to declare the action of the respondents 1 to 3 in failing to take up investigation pursuant to the representation dated 23/12/2014 of the petitioner as per the orders of this Court in WP.No. 33608 of 2014, dated 6/12/2014 as illegal, arbitrary, unconstitutional and in violation of the provisions of Money Laundering Act, 2002 and consequently to direct the respondent No.3 to consider the representation of the petitioner dated 23/12/2014 submitted pursuant to the directions in the above writ petition and to initiate appropriate action against the unofficial respondents and to pass such other suitable orders as this Court may deem fit and proper in the circumstances of the case.

2. Vide the present writ petition, the petitioner seeks direction thereby directing the respondent No.3 to consider the representation

of the petitioner dated 23/12/2014 submitted pursuant to the directions in WP.No. 33608 of 2014, dated 6/12/2014.

3. After going through the affidavit filed in support of the petition and the order dated 6/12/2014 passed by this Court in WP.No. 33608 of 2014, it appears that the petitioner was granted liberty to work out his remedies as a consequence to registration of Crime No.117 of 2014, dated 07/10/2014 and the said writ petition was disposed of by this court vide order dated 6/12/2014. It is clear vide letter dated 08/12/2015, the Assistant Director [Vigilance] conveyed to the petitioner that his application online reference registration No. PMOPG/D/2015/01022 dated 11/11/2015 on CPGRAM portal on the above subject, after examination, since the same is in the nature of complaint regarding violation of the provisions of FEMA/PMLA, the matter has been referred to the concerned section of Enforcement Directorate for further appropriate action. This correspondence itself is from the office of respondent No.2 and the petitioner seeks direction against respondent No.2 to

consider his representation dated 23/12/2014 pursuant to the directions in WP.No.33608 of 2014, dated 6/12/2014.

4. Since the respondent No.2 has already sent to the concerned section then the petitioner would have waited for the outcome of the same. However, the petitioners have filed the present writ petition.

5. I am of the view that the Enforcement Directorate is investigating the matter and certainly it takes time to establish, who is the real culprit. For the said purpose, sufficient time should be given to the concerned authority to investigate the matter at the earliest.

6. Since this writ petition is filed at the pre-mature stage, the same is accordingly dismissed at the admission stage. No costs.

7. As a sequel, miscellaneous petitions if any, pending in this writ petition shall stand closed.

JUSTICE SURESH KUMAR KAIT.

26/09/2016
I s L

HONOURABLE SRI JUSTICE SURESH KUMAR KAIT

WRIT PETITION NO. 32644 OF 2016



Date: 26/09/2016
Circulation No.
Court Master: I s L