

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.03.2017

CORAM

THE HON'BLE MR.JUSTICE B.RAJENDRAN

W.P.No.4701 of 2014

T.M.Ramalingam

... Petitioner

Vs

J.X.Terrance Rodrigo
Assistant Director,
Directorate of Enforcement,
3rd Floor, 3rd Block
Shastri Bhavan
No.26, Haddows Road,
Chennai-600 006.

... Respondents

Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondent to follow the contents of his own issued summons, accept statement/affidavit through Authorized Representative and not to insist on personal presence.

For Petitioner : No Appearance

For Respondent : Mr.M.Dhandpani

ORDER

The petitioner herein had been summoned by the respondent to appear before him on 05.12.2013 in person or through authorized representative in his office with regard to an enquiry relating to transfer of fund to a tune of Rs.2.25 Crores from Singapore. Since, the petitioner due to his ailments had sent his representative alongwith authorization letter, which was refused by the respondent and insisted the petitioner to appear in person. The respondent had again sent summons to the petitioner to appear in person dated 02.01.2014 and 23.01.2014, for which the petitioner again sent his representative only, alongwith the documents and details pertaining to enquiry. The respondent refused to meet the petitioner's representative. Aggrieved against the same the petitioner is before this court seeking for a direction to the respondent to follow the contents of his own issued summons, accept statement/affidavit through Authorized Representative and not to insist on personal presence.

2. Today, when the matter was taken up for hearing, there was no representation for the petitioner either in person or through a counsel. Heard Mr.M.Dhandapani, learned counsel appearing on behalf of the respondent.

3. The learned counsel for the respondent submitted that despite the order of this Hon'ble Court dated 10.03.2014, no steps have been taken by the petitioner to examine himself by the Chief Medical Officer, Government Hospital, Tiruppur, and to submit a report. However, by this time, the summons issued by the respondent has become infructuous and a fresh summon has to be issued to the respondent.

4. Considering the submission made by the learned counsel for the respondent, this writ petition is disposed of with a liberty to the respondent to issue fresh summons to the petitioner. No costs.

Sd/-
Asst.Registrar (CCC)

/true copy/

Sub Asst. Registrar

To

The Assistant Director,
Directorate of Enforcement,
3rd Floor, 3rd Block
Shastri Bhavan
No.26, Haddows Road,
Chennai-600 006.

+1 cc to Mr.M.Dhandapani,advocate,sr.17818.

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