IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.08.2020

CORAM

THE HON'BLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.10545 of 2020
and
WMP Nos.12803 and 12804 of 2020

Shekina Prophetic Mission Trust,
Rep. By its Managing Trustee Rev.Fr.Prabhudas,
Sirumugal Road, Senthil Nagar,
1st Street, Annur,
Coimbatore 641 653. ...Petitioner

Vs.

The Secretary to Government of India,
Ministry of Home Affairs,
Foreigners Division,
1st Floor, Major Dhyan Chand, National Stadium,
India Gate Circle, New Delhi 110 001. ...Respondents

Prayer .: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of certiorarified mandamus to call for the records of the impugned order dated 11.02.2020 vide No.11/21022/58(34)/2020-FCRA(MU) by the respondent and quash the same and consequently direct the respondent to grant permission to the petitioner trust to continue and to accept foreign contribution for Economic, Education, Social and Religious Programme.

For Petitioner : Ms.S.Shanmitha
For Respondents : Mr.A.Kumaraguru
CGSC

O R D E R

This matter is taken up for hearing through Video Conferencing mode.

2. This writ petition is filed challenging the order of suspension issued to the petitioner under Section 13 of the Foreign Contribution (Regulation Act) 2010.

3. Heard the learned counsel for the petitioner and the learned Central Government Standing counsel, who took notice for the respondent.

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4. It is vehemently contended by the learned counsel for the petitioner that the very suspension order impugned in this writ petition was issued without issuing any show cause notice. She further contended that the allegation made in the suspension order is also factually incorrect.

5. On the other hand, the learned counsel appearing for the respondent pointed out that the suspension order was issued only for a period of 180 days from 11th February 2020, which is also going to expire on 9th August, 2020 (day after tomorrow). Therefore, he submitted that the matter will become infructuous on 09.08.2020 and thus, it is going to be futile exercise for entertaining and hearing the writ petition

6. Without going into the merits of the contention raised by the learned counsel for the petitioner. I find force in the contention made by the learned counsel for the respondent that when the impugned order was issued on 11.02.2020 for a period of 180 days with effect from the date of the said order and such period is going to expire on 09.08.2020 (day after tomorrow), act of the petitioner in filing the present writ petition on 06.08.2020 and seeking for indulgence of this Court, is simply a futile exercise.

7. Accordingly, this writ petition is disposed of, without expressing any view on the merits of the claim made by the petitioner, however by granting liberty to the petitioner to work out the remedy, if any action is taken under Section 14. No costs. The connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

vsi/vri

To

The Secretary to Government of India,
Ministry of Home Affairs,
Foreigners Division,
1st Floor, Major Dhyan Chand, National Stadium,
India Gate Circle, New Delhi 110 001.

W.P.No.10545 of 2020

GJ(CO)
GN(25/09/2020)

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