

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.09.2020

CORAM

THE HON'BLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.Nos.13458, 13462 and 13464 of 2020
and

WMP No.16623, 16625, 16628 and 16629 of 2020

SMKGM Silent Piling Contractor Private Limited,

[PETITIONER
in all W.Ps.]

Vs

1. Reserve Bank of India,
Foreign Exchange Department,
No.16, Rajaji Salai,
Fort Glacis,
Chennai 600 001.
2. Directorate of Enforcement,
Rep. by Mr.T.Kumar,
Assistant Director,
Office of the Joint Director,
Directorate of Enforcement,
II & III Murugesu Naicker Complex,
No.84, Greaves Road,
Chennai 600 006.
3. Union of India,
Rep. by its Secretary,
Ministry of Finance, Department of Economic Affairs,
North Block, New Delhi 110 001.

[RESPONDENTS
in all W.Ps.]

Prayer in W.P.13458 of 2020:

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of certiorari to call for the records of the impugned Summons Notice bearing File No.T3/CE20-I/253/2019(TK) and dated 17.01.2020 and 10.09.2020 issued by respondent No.2 under Section 37 of FEMA read with Section 131 (1) of the Income Tax Act, 1961 and Section 30 of the Code of Civil Procedure 1908 and quash the same.

Prayer in W.P.13462 of 2020:

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 letter bearing Ref.No.Che.FED.FID/188/25.19.857/2020-21 and dated 07.08.2020 issued by Respondent No.1 rejecting the payment of late submission fee of Rs.630/- made by the petitioner for acknowledging the submission of Form FC-GPR, and quash the same and consequently order the first respondent to accept the payment of late submission fee of Rs.630/- for acknowledging the submission of Form FC-GPR in termis of the first respondent's letter bearing Ref.No.Che.FED.FID/2146/25.19.857/2018-19 dated: 25.09.2018.

Prayer in W.P.13464 of 2020:

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of prohibition to prohibit the respondents, their servants and agents and permanently further action pursuant to impugned Summons Notice bearing File No.T3/CE20-I/253/2019(TK) and dated 17.01.2020 and on 10.09.2020 issued by respondent No.2 under Section 37 of FEMA read with Section 131(1) of the Income Tax Act, 1961 and Section 30 of the Code of Civil Procedure 1908.

For Petitioner : M/s.Hema Srinivasan
in all W.Ps.
For Respondent : Mr.C.Mohan for R1
in all W.Ps. Mr.N.Ramesh for R2
Ms.K.Sunithakumari for R3
CGSC

C O M M O N O R D E R

These matters are taken up for hearing through Video Conferencing mode.

2. Learned counsel for the petitioner seeks permission to withdraw these writ petitions with liberty to the petitioner to raise all the contentions before the second respondent.

3. Granting such liberty, these writ petitions are dismissed as withdrawn. No costs. The connected miscellaneous petitions are also dismissed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. Reserve Bank of India,
Foreign Exchange Department,
No.16, Rajaji Salai,
Fort Glacis,
Chennai 600 001.
 2. Directorate of Enforcement,
Rep. by Mr.T.Kumar,
Assistant Director,
Office of the Joint Director,
Directorate of Enforcement,
II & III Murugesu Naicker Complex,
No.84, Greaves Road,
Chennai 600 006.
 3. Union of India,
Rep. by its Secretary,
Ministry of Finance, Department of Economic Affairs,
North Block, New Delhi 110 001.
- +3cc to M/s.King & Partridge, Advocate in
SR.NO..31043, 31042, 31041
- +1cc to M/s.Sunita Kumari, Advocate in SR.NO..31003
- W.P.Nos.13458, 13462 and 13464 of 2020

RV(14/10/2020)

सत्यमेव जयते

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