

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 22.01.2020

CORAM

THE HONOURABLE MR. JUSTICE M. SATHYANARAYANAN
AND
THE HONOURABLE MRS. JUSTICE N.KIRUBAKARAN

WP.No.6818 of 2016

Tamil Nad Mercantile Bank
Share Holders Welfare Association
through its Secretary
R.Muthuselvam
a Registered Association
(Reg.NO.97/1998)
88, South Raja Street,
Tuticorin, Tuticorin District,
Tamil Nadu.

.. Petitioner

Versus

1.Union of India,
Through its Secretary to Government,
Ministry of Finance,
Department of Economic Affairs,
New Delhi 110001.

2.Reserve Bank of India
through its Governor,
Mumbai 400 001.

3.The Director
Enforcement Directorate
6th Floor, Lok Nayk Bhavan,
Khan Market,
New Delhi 110 003.

...Respondents

PRAYER:- Writ petition filed under Article 226 of the Constitution of India prays to issue a Writ of Mandamus directing the respondents to initiate appropriate action under the provisions of Foreign Exchange and Management Act 1999 and Prevention of Money Laundering Act by investigating into the source of funds employed in the acquisition and transfer of 1,12,151 shares of the Tamil Nad Mercantile Bank Ltd., whose acknowledgement were refused by the respondent No.2/RBI in its report dated 31.03.2011 and into the other violations as

requested by the petitioner-Association in their representation/letters, dated 24.04.2013, 02.05.2013 and 06.05.2013 as per the directions of this Court in order dated 17.04.2013 in Writ Petition(c) No.2471 of 2013. (a) to issue a Writ of Mandamus directing the respondent no.3 to register a criminal case against M/s.RST Limited, Katra Holding Limited, Sub-Continental Equities Ltd. GHI Limited, Kamehameha Mauritius Limited, FI Investments (Mauritius) Limited, Cuna Group (Mauritius) Limited, Swiss Re-investors (Mauritius) Limited, Shri.Gokul Patnaik, Vector Programme Private Limited, Shri.B.Ramachandra Adityan, Smt.Pankajam, Shri.B.R.Kannan Adityan, Smt.P.Geetha, Shri.K.Kumaran, Shri.P.Rajan, Shri.K.Lingakurnar, Shri.S.Vijayaragavan, Shri.L.Sridharan, Shri.N.Ganesan, Shri.M.Selvaraj, Shri.N.C.Pandian, Shri.MGM.Maran and Shri LMG.Muthu for violation of Prevention of Money Laundering Act, 2002 and Foreign Exchange and Management Act, 1999.

For Petitioner : Mr.Jerry V.V.Sundar
for Mr.V.Narayan

For Respondents :Mr.Chevanan Mohan RBI for R2
Mr.P.J.Anitha for R1

ORDER

[Order of the Court was made by M.SATHYANARAYANAN,J.,]

The Writ Petition was filed as a Civil Writ Petition in W.P. (C)No.3667/2018 on the file of the High Court, Delhi at New Delhi. In pursuant to the orders passed by the Honble Supreme Court of India, it has been transferred and renumbered as W.P.No.6818/2016.

2. M/s.G.Ravikumar and M.Jai Ganesh had circulated a letter dated 30.10.2019 requesting the Registry to list the matter for withdrawal. Mr.Jerry V.V.Sunder, learned counsel who is attached to the office of the counsel on record appearing on behalf of the writ petitioner seeks permission of this Court to withdraw this Writ Petition and also made an endorsement in the Writ Petition to that effect.

3. This Court heard the submission of Mr.C.Mohan for M/s.King and Patridge, learned standing counsel who appears for the 2nd respondent also Though the respondents 1 and 3 have been served and their names appear in the cause list, there is no appearance on behalf of them.

4. The Withdrawal Letter, circulated by the counsel on record appearing for the petitioner dated 30.10.2019 is taken on

file and recorded and it shall form part of the order.

5. In the light of the said letter coupled with the endorsement made, this Writ Petition is dismissed as withdrawn. No costs.

Sd/-

Assistant Registrar (CCC)

//True Copy//

Sub Assistant Registrar

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To

1.The Secretary to Government,
Union of India,
Ministry of Finance,
Department of Economic Affairs,
New Delhi 110001.

2.The Governor,
Reserve Bank of India,
Mumbai 400 001.

3.The Director
Enforcement Directorate
6th Floor, Lok Nayk Bhavan,
Khan Market,
New Delhi 110 003.

+1cc to Mr.G.Ravikumar, Advocate, S.R.No. 5014
+1cc to Mr.King & Partridge, Advocate, S.R.No. 4920
+1cc to Mr.P.J.Anitha, Advocate, S.R.No. 4595

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VBA (CO)
GN (09/03/2020)

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