



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.07.2021

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA
and
THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

W.A.No.2084 of 2013
and
M.P.No. 1 of 2013

Virendra Mehta

... Appellant

-vs-

1. The State of Tamilnadu represented
by the Secretary to the government,
Public (SC) Dept., Fort St. George,
Chennai-6 00 009.
2. The Union of India represented by
The Secretary to the Government,
Ministry of Finance, Dept. of revenue,
(COFEPOSA-UNIT), New Delhi.
3. The Sub Inspector of Police,
Office of the Commissioner of police,
Egmore, Chennai-8
4. The Deputy Director,
Enforcement directorate, No.6, Haddows road,
Shasthri Bhavan, Nungambakkam,
Chennai-34.

... Respondents

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent against the order dated 27.08.2013 made in W.P.No.7543 of 2013 by a learned Single Judge of this Court.

Prayer in W.P.No.7543 of 2013:

Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus forbearing the respondents their men or agents or any one acting and claiming on behalf of them from arresting or executing the detention order and detaining the petitioner viz. Virendra Mehta aged about 72 years issued under Section 3(1) of the conservation of foreign exchange and prevention of smuggling activities Act, 1974 in connection with the proceedings in No.T-4/19-M/90 (SCN-



I), dated 24.09.1990 initiated against the petitioner under Foreign exchange regulation act in the year 1987-1989 by 4th respondent, detention order passed under COFEPOSA Act 1974 issued by the second respondent herein.

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For Appellant	:	No appearance
For R1 & R3	:	Mr.T.Arunkumar (Government Advocate)
For R2	:	No appearance
For R4	:	Mr.Rajnish pathiyil

JUDGMENT

(Judgment of the Court was pronounced by T.RAJA, J.)

This Writ Appeal has been directed against the order dated 27.08.2013 made in W.P.No.7543 of 2013 by a learned Single Judge of this Court.

2. At the outset, a perusal of the records would go to show that on the past two hearings, namely, on 08.07.2021 and 09.07.2021 there was no representation on behalf of the appellant. Therefore, in order to give one more chance to the appellant, we directed the Registry to post the matter under the caption, ''for dismissal'' on 13.07.2021. Even today, when the matter was listed under the caption ''for dismissal'', no one appeared on behalf of the appellant.

3. Mr.T.Arunkumar, learned Government Advocate, appearing for the respondents 1 & 3 and Mr.Rajnish Pathiyil, learned counsel appearing for the 4th respondent would also state that the appellant is not interested in prosecuting the matter.

4. In view of the non-representation on the side of the appellant for the past three hearings, we are of the view that the appellant is not interested in prosecuting the matter. Therefore, this Writ Appeal stands dismissed for default. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CJ Conf)

//True Copy//

Sub Assistant Registrar

vsn



To

1. The Secretary to the Government,
The State of Tamilnadu,
Public (SC) Dept., Fort St. George,
Chennai - 600 009.
2. The Secretary to the Government,
The Union of India,
Ministry of Finance, Dept. of revenue,
(COFEPOSA-UNIT), New Delhi.
3. The Sub Inspector of Police,
Office of the Commissioner of police,
Egmore, Chennai-8
4. The Deputy Director,
Enforcement directorate,
No.6, Haddows road,
Shasthri Bhavan, Nungambakkam,
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W.A.No.2084 of 2013
and M.P.No.1 of 2013

RSV(CO)
RLP(06/08/2021)