IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 05.10.2021

CORAM:

THE HON'BLE MR. JUSTICE S.M.SUBRAMANIAM

W.P. No. 13983 of 2016

E.Bhuvana .. Petitioner

-Vs-

1. The Chief Manager,
   Syndicate Bank,
   Asset Recovery Management Branch,
   SIC Building, 1st Floor,
   38 Anna Salai,
   Chennai - 600 002.

2. The Director of Enforcement,
   Represented by Joint Director of Enforcement,
   (The Prevention of Money Laundering Act, 2002),
   Government of India, Ministry of Finance,
   Department of Revenue,
   3rd Floor, 3rd Block, Shastri Bhawan,
   No.26, Haddows Road,
   Chennai - 600 006. .. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus directing the first respondent to consider the OTS proposal dated 20.08.2015 submitted by the petitioner.

For Petitioner : Mr.Prakash Goklaney

For Respondents : Ms.T.Hemalatha for R1
Mr.P.Sidharthan for R2

O R D E R

The relief sought for in the present Writ Petition is to direct the first respondent to consider the OTS proposal dated 20.08.2015 submitted by the petitioner.

2. The Writ Petition was filed on 21.03.2016 and five years lapsed. On account of efflux of time and due to certain developments, the relief as such sought for need not be considered at this length of time. However, the petitioner is at liberty to submit fresh proposal / application along with the

details if any and the respondents on receipt of such proposal / application shall consider the same on merits and in accordance with law.

3. The learned counsel for the second respondent filed a counter affidavit stating that PMLA proceedings are pending and the petitioner appeared before the Court below and those facts were not stated in the Writ Petition and that all those aspects are to be considered by the authorities.

4. With these directions, the Writ Petition stands disposed of. However, there shall be no order as to costs.

Sd/-
Assistant Registrar (CS-IX)

//True Copy//

Sub Assistant Registrar

vji

To

1. The Chief Manager,
   Syndicate Bank,
   Asset Recovery Management Branch,
   SIC Building, 1st Floor,
   38 Anna Salai,
   Chennai - 600 002.

2. The Joint Director of Enforcement,
   The Director of Enforcement,
   (The Prevention of Money Laundering Act, 2002),
   Government of India, Ministry of Finance,
   Department of Revenue,
   3rd Floor, 3rd Block, Shastri Bhawan,
   No.26, Haddows Road,
   Chennai - 600 006.

+1cc to Mr.Prakash Goklaney, Advocate, S.R.No.52172
+1cc to Mr.P.Sidharthan, Advocate, S.R.No.52086
+1cc to Mr.V.Suthakar, Advocate, S.R.No.52275
+1cc to Mr.Prakash Goklaney, Advocate, S.R.No.52172(25/11/2021)

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JPL(CO)
GN(01/11/2021)
KKV/25/11/2021