

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.02.2021

Coram

The Hon'ble Mr. Justice P.N.PRAKASH
and
The Hon'ble Mr. Justice V.SIVAGNANAM

W.P.No.41924 of 2016

N.Jayamurugan

.. Petitioner

Vs.

1.Director of Enforcement,
Represented by its Director,
Government of India, 6th Floor,
Lok Naik Bhavan, Khan Market,
New Delhi - 110 003.

2.The Assistant Director,
Directorate of Enforcement,
Cochin Zonal Office,
"Kanoos Castle", A.K.Sheshadri Road,
(Mullasery Canal Road - West),
Cochin - 682 011.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a writ of declaration to declare that in the absence of offences under Section 120-B IPC and Lotteries (Regulation) Act, 1998 and the Lotteries (Regulation) Rules, 2010 being scheduled offences within the meaning of Section 2(y) of Prevention of Money Laundering Act, 2002, in the year 2007, the Enforcement Directorate will have no jurisdiction over the petitioner to conduct investigation against him and proceed against him for the offence of money laundering under Section 3 of the Prevention of Money Laundering Act, 2002 or attach his properties under Section 5 of the Prevention of Money Laundering Act, 2002.

For Petitioner : Mr.A.Ramesh, Senior Counsel
& Mr.Sathish Parasaran, Senior Counsel
for Mr.N.R.R.Arun Natarajan

For Respondents: Mr.N.Ramesh
Special Public Prosecutor (ED)

ORDER

[Order of the Court was made by P.N.PRAKASH, J.]

In view of the order passed by a Division Bench of this Court in John Kennedy and others Vs. Joint Director¹, this writ petition is dismissed as not maintainable. Liberty is given to the petitioner to work out his remedy in the manner known to law before the appropriate forum.

-s/d-

Assistant Registrar (CS-IV)

True Copy

Sub-Assistant Registrar

nsd

To

1.The Director
Directorate of Enforcement,
Government of India, 6th Floor,
Lok Naik Bhavan, Khan Market,
New Delhi - 110 003.

2.The Assistant Director,
Directorate of Enforcement,
Cochin Zonal Office,
"Kanoos Castle", A.K.Sheshadri Road,
(Mullasery Canal Road - West),
Cochin - 682 011.

3.The Public Prosecutor,
Madras High Court,
Chennai - 600 104.

W.P.No.41924 of 2016

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RSI (CO)
SP(03/03/2021)

1 W.P.Nos.25177 and 25231 of 2019 decided on 17.12.2020