

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.13857 of 2017

1.N.Jayamurugan

2.M/s.Anitha Estates Private Limited,
Old No.47, New No.99, Canal Bank Road,
C.I.T.Nagar, Nandanam,
Chennai - 600 035.
Represented by its Director
N.Jayamurugan.

3.M/s.Anitha Infrastructure & Property
Developers Private Limited,
Old No.47, New No.99, Canal Bank Road,
C.I.T.Nagar, Nandanam,
Chennai - 600 035.
Represented by its Director
N.Jayamurugan.

4.M/s.Jay Gee Hitech Infraventures
Private Limited,
Old No.47, New No.99, Canal Bank Road,
C.I.T.Nagar, Nandanam,
Chennai - 600 035.
Represented by its Director
N.Jayamurugan.

5.M/s.Nandhini Property & Developer
Private Limited,
Old No.47, New No.99, Canal Bank Road,
C.I.T.Nagar, Nandanam,
Chennai - 600 035.
Represented by its Director
N.Jayamurugan.

6.M/s.NJM Enterprises Private Limited,
Old No.47, New No.99, Canal Bank Road,
C.I.T.Nagar, Nandanam,
Chennai - 600 035.
Represented by its Director
C.Mariappan.

7.M/s.NJM Estates & Foundations
Private Limited,
Old No.47, New No.99, Canal Bank Road,
C.I.T.Nagar, Nandanam,
Chennai - 600 035.
Represented by its Director
C.Mariappan.

8.M/s.Pavithra Property Developer
Private Limited,
Old No.47, New No.99, Canal Bank Road,
C.I.T.Nagar, Nandanam,
Chennai - 600 035.
Represented by its Director
N.Jayamurugan.

9.SNJ Infrastructure & Property
Developer Private Limited,
Old No.47, New No.99, Canal Bank Road,
C.I.T.Nagar, Nandanam,
Chennai - 600 035.
Represented by its Director
N.Jayamurugan.

10.SNJ Promoters & Property Developers
Private Limited,
Old No.47, New No.99, Canal Bank Road,
C.I.T.Nagar, Nandanam,
Chennai - 600 035.
Represented by its Director
N.Jayamurugan.

... Petitioners

Vs.

1.The Chairperson,
Adjudicating Authority,
(Under Prevention of Money Laundering Act),
4th Floor, Jeevan Deep Building,
Parliament Street,
New Delhi - 110 001.

2.The Special Director,
Directorate of Enforcement,
Southern Region,
Shastri Bhawan, 3rd Floor,
3rd Block, B-Wing, No.26,
Haddows Road,
Chennai - 600 006.

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

4.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 certiorarified mandamus, calling for the records of the original records of the original complaint in O.C.No.695 of 2017 dated 23.02.2017 filed by the 3rd respondent before the 1st respondent under Section 5 (5) of the Prevention of Money Laundering Act, 2002, and quash the same as it is without jurisdiction and ultra vires Sections 5 and 8 of the Prevention of Money Laundering Act, 2002 and consequently forbear the 1st respondent from proceeding with the adjudication proceedings under Section 8 of the Prevention of Money Laundering Act, 2002 in O.C.No.695 of 2017 dated 23.02.2017.

For Petitioners: 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 petitioners to work out their remedies in the manner known to law before the appropriate forum.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

nsd

To

1.The Chairperson,
Adjudicating Authority,
(Under Prevention of Money Laundering Act),
4th Floor, Jeevan Deep Building,
Parliament Street,
New Delhi - 110 001.

2.The Special Director,
Directorate of Enforcement,
Southern Region,
Shastri Bhawan, 3rd Floor,
3rd Block, B-Wing, No.26,
Haddows Road,
Chennai - 600 006.

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

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

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

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

W.P.No.13857 of 2017

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