



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.04.2022

CORAM

THE HONOURABLE MR. JUSTICE M.GOVINDARAJ

W.P.No.8311 of 2010
and M.P.No. 1 of 2010

M/s.Pentamedia Graphics Limited,
No.25, 1st Main Road,
United India Colony,
Kodambakkam, Chennai - 24.

Rep. by its Chairman and Chief Executive Officer
V.Chandrasekaran.

...Petitioner

Vs.

1. Union of India,
Rep. by Secretary to Government,
Ministry of Finance,
Department of Revenue,
New Delhi.

2. The Special Director,
(Adjudicating Authority),
Directorate of Enforcement,
Lok Nayak Bhavan, New Delhi - 3.

3. The Deputy General Manager,
Reserve Bank of India,
16, Rajaji Salai, Foreign Exchange Department,
Chennai - 600 001.

...Respondents

PRAYER: The Writ Petition has been filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to forbear the second respondent from in any way proceeding with the adjudication of the show cause notice dated 19.11.2009 made in No.T-4/9-CHE/2009 in view of the pendency and consideration by the RBI for waiver of non realisation of Export proceeds as duly recommended by the authorised dealer as the initiation of the proceedings themselves are premature.

For Petitioner : M/s.W.Naveen
for Salaivarun

For Respondent
Nos.1 and 2 : M/s.Rajnish Pathiyil

For Respondent
No.3 : M/s.T.Poornam



O R D E R

Today, when the matter is taken up for hearing, the learned counsel for the third respondent submits that the Writ Petition is filed seeking a direction to the second respondent from proceedings with the adjudication of the show cause notice dated 19.11.2009 during the pendency and consideration by the Reserve Bank of India for waiver of non-realisation of Export proceeds and during the pendency of the Writ Petition, the Reserve Bank of India has rejected the request of the petitioner.

2. The learned counsel for the petitioner also submits that the matter has become infructuous and hence, nothing survives for further adjudication. To that effect, he has also made an endorsement in the bundle.

3. Recording the submission made by the learned counsel for the petitioner, the Writ Petition is dismissed as infructuous. The petitioner is at liberty to workout their remedy in the manner known to law before appropriate forum. There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

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To

1. The Secretary to Government,
Union of India, Ministry of Finance,
Department of Revenue, New Delhi.
2. The Special Director,
(Adjudicating Authority),
Directorate of Enforcement,
Lok Nayak Bhavan, New Delhi - 3.



3.The Deputy General Manager,
Reserve Bank of India,
16, Rajaji Salai,
Foreign Exchange Department,
Chennai - 600 001.

WEB COPY

+1cc to Mr.Rajnish Pathiyil, Special Public Prosecutor SR.
No.26733

+1cc to M/s.T.Poornam, Advocate SR. No. 27300

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SPD (CO)
PR (29/04/2022)