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W.P.Nos.33396 & 33397 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.10.2022

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THE HONOURABLE **MR.JUSTICE C.SARAVANAN**

W.P.Nos.33396 & 33397 of 2015 and
M.P.Nos.1 & 1 of 2015

1.D.Suresh Rao ... Petitioner in W.P.No.33396 of 2015
2.R.Joseph Prem Kumar ... Petitioner in W.P.No.33397 of 2015

Vs

The Deputy Director Office of
The Joint Director,
Enforcement Directorate,
Chennai Zonal Office,
2nd & 3rd Floor, Murugesu Naicker Complex,
No.84, Greaves Road,
Chennai – 6. ... Respondent in both W.Ps.

Common Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorari, to call for the records of the respondent notice dated 12.08.2015 relating to F.No.ECIR/05/CZO/PMLA/2012(LK) and quash the same.

For Petitioners : No Appearance
(in both W.Ps)

For Respondent : Mr.Rajinish Pathiyil
(in both W.Ps) Standing Counsel



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COMMON ORDER

By this common order, both these writ petitions are being disposed of.

2.Today, this case is listed under the caption “for dismissal”.

3.The petitioners have challenged the impugned notice of the eviction letter dated 12.08.2015 bearing No.F.No.ECIR/05/CZO/PMLA/2012(LK).

4.The property in question was attached vide Provisional Attachment Order No.6/2015 vide order dated 30.03.2015 in ECIR/05/CZO/PMLA/2012 (LK) and that order of Provisional Attachment was subsequently confirmed by the Adjudicating Authority(PMLA), New Delhi constituted under Section 6 of the Prevention of Money Laundering Act, 2002 vide order dated 26.06.2015 in Original Complaint No.461/2015.



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5.The petitioners have also preferred an Appeals against the aforesaid order before the Appellate Tribunal and the said Appeals was taken up for hearing on 29.10.2015. The respondent in its counter in respect of para 22 of the affidavit filed in support of the petition has stated that the Appellate Tribunal was not pleased to grant any stay against the order of the Adjudicating Authority and the same is pending before the said Tribunal. The protection if any from eviction notice, was to be ordered only by the Tribunal in Appeal Nos.1028 of 2015 and 1029 of 2015. Therefore, there is no merits in the present writ petitions.

6.Accordingly, these writ petitions stand dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

12.10.2022

Index : Yes/No
Speaking/Non-Speaking Order

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To

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C.SARAVANAN, J.

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