



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.05.2022

CORAM :

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

AND

THE HON'BLE MR.JUSTICE C.SARAVANAN

W.P.No.13319 OF 2022

1.Ravi @ Kadhukutthu Ravi

2.Harish

...Petitioners

Vs

The Assistant Director
Directorate of Enforcement
Government of India
Chennai 600 006.

...Respondent

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorari to call for the records of notice of eviction in F.No.ECIR/CEZO/03/2013 (P-XI) dated 04/05/2022 issued by the Assistant Director Directorate of Enforcement, Government of India, Chennai 600006 and quash the same.

For the Petitioners:Mr.R.Swarnavel

For the Respondent :Mr.N.Ramesh,

Special Public Prosecutor

ORDER

(Order of the Court was made by S.M.SUBRAMANIAM, J.)

The writ petition has been filed questioning the validity of the notice of eviction dated 04.05.2022, issued by the Assistant Director, Directorate of Enforcement, Chennai, under the provisions of the Prevention of Money Laundering Act, 2002.

2. The grievance of the petitioners is that the Appellate Tribunal at New Delhi constituted under the provisions of the Act of 2002, initially ordered an interim order of status quo on



30.01.2017. The appeal is pending before the said Appellate Tribunal. The learned counsel appearing on behalf of the petitioners contended that the Appellate Tribunal had periodically extended the interim order of status quo, initially granted on 30.01.2017, and lastly extended on 25.02.2021. Thereafter, the Tribunal is not functioning for want of quorum. Thus, the petitioners could not get the interim order extended further. Taking advantage of the non-functioning of the Appellate Tribunal, the respondent authorities have issued the impugned order. Thus, the petitioners are constrained to present the writ petition.

3. On instructions from the authorities, the learned Special Public Prosecutor made a submission that the department is not pressing the order impugned in proceeding no.F.No.ECIR/CEZO/03/2013 (P-XI) dated 04.05.2022, and therefore no further adjuciation is necessary in the writ petition.

4. Considering the submission made on behalf of the learned Special Public Prosecutor that the Department is not pressing the impugned order, the writ petition stands disposed of. Consequently, W.M.P.No.12589 of 2022 is closed. There will be no order as to costs.

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

tar
To:

The Assistant Director
Directorate of Enforcement
Government of India
Chennai 600 006.

+1 CC to Mr.P. Raja, Advocate sr 31702.

W.P.No.13319 OF 2022

SRA(CO)
SP(01/06/2022)