



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.03.2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.22748 of 2015

and

M.P.Nos.1 & 2 of 2015

V.Valarmathi

... Petitioner

Vs.

1.The Deputy Director,
Office of the Joint Director,
Enforcement Directorate,
Chennai Zonal Office,
2nd and 3rd Floor, Murugesu Naicker Complex,
No.84 Greaves Road,
Chennai – 600 006.

2.Mr.S.Elumalai

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorari, calling for the records relating to the notice bearing F.No.ECIR No.09/2013 dated 26.02.2015 of the 1st respondent and quash the same.



For Petitioner	: Mr.K.Gopinath For Mr.n.Suresh
For R1	: Mr.N.Ramesh Special Public Prosecutor [For Enforcement Directorate]
For R2	: No Appearance

ORDER

The order dated 26.02.2015 issued by the Deputy Director of Enforcement Directorate, Chennai is under challenge in the present writ petition.

2. Admittedly, the writ petitioner is the tenant in the Subject Property. The Enforcement Directorate initiated action for money laundry against the owner of the property under the provisions of the Prevention of Money Laundering Act. An order of attachment was passed, which was confirmed by the adjudicating authority.

3. The impugned notice was issued asking the occupants of the subject property to vacate the said premises within 15 days. In respect of the attachment made under the provision of the Prevention of Money Laundering



Act, 2002, the tenant has no *locus standi* to question the eviction notice issued by the competent authority under the Prevention of Money Laundering Act. If at all any grievance exists, the petitioner has to approach the competent appellate authority under the provisions of the law.

4. It is brought to the notice of this Court that the owner of the subject property has already preferred an appeal before the Tribunal New Delhi. That being the factum, the petitioner cannot maintain the present writ petition with reference to the impugned notice issued by the competent authority to vacate the said premises, pursuant to the attachment made under the Prevention of Money Laundering Act.

5. Thus, the Writ petition is not entertainable and therefore, the respondents are at liberty to pursue the action by following the procedures as contemplated under the act. Accordingly, this Writ petition stands dismissed. No costs. Consequently, connected Miscellaneous Petitions are closed.

14.03.2023

Jeni
Index : Yes
Speaking order
Neutral Citation : Yes



To

The Deputy Director,
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S.M.SUBRAMANIAM, J.

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