



W.P.Nos.25595, 25597, 25599 and 25601 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.08.2023

CORAM

THE HONOURABLE MR.JUSTICE **M.SUNDAR**
and
THE HONOURABLE MR.JUSTICE **R.SAKTHIVEL**

W.P.Nos.25595, 25597, 25599 and 25601 of 2023
and
W.M.P. Nos.24982, 24984, 24985 and 24988 of 2023
in W.P.Nos.25595, 25597, 25599 and 25601 of 2023

R.M.Subramanian

.. Petitioner in
W.P.No.25595 of 2023

Uma Maheswari

.. Petitioner in
W.P.No.25597 of 2023

G.Selvakumaran

.. Petitioner in
W.P.No.25599 of 2023

R.Jayanthi

.. Petitioner in
W.P.No.25601 of 2023

Vs

1.The Deputy Director,
Directorate of Enforcement,
No.26, Haddows Road, Chennai – 26.

2.The Adjudicating Authority,
Prevention of Money Laundering,
Ministry of Finance, Department of Revenue,
Room No.26, 4th Floor,
Jeevandeep Building,
Parliament Street, New Delhi – 110 001.

.. Respondents in
all the W.Ps

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Petitions 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 in order OC 1899/2023 dated 25.07.2023, OC 1899/2023 PMLA dated 25.07.2023, OC 1926/2023 dated 04.08.2023 and OC 1926/2023 dated 04.08.2023 respectively and quash the same.

For Petitioner : Mr.S.Durairaj
and Mr.G.Derric Sam
in all the W.Ps

For Respondents : Mr.E.Raj Thilak,
Additional Public Prosecutor
for R1 in all the W.Ps

COMMON ORDER

[Order of the Court was made by **M.SUNDAR, J.,**]

When the captioned writ petitions were taken up, Mr.S.Durairaj along with Mr.G.Derric Sam, learned counsel on record for the petitioners in all the four main writ petitions were before us. An alternate remedy by way of appeal to the PMLA Appellate Tribunal, New Delhi under Section 26 of 'Prevention of Money Laundering Act, 2002' (hereinafter 'PMLA' for the sake of brevity) is available qua all four impugned orders. In this view of the matter, the following endorsement was made in the case files:

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May be permitted to
withdraw the writ Petition
with liberty to file an
appeal
DTP/23
G.DERRICK SJM
MS1216/2009

2. The aforementioned endorsement is reiterated in the hearing.

3. In the light of the narrative thus far, captioned four Writ Petitions and captioned 'Writ Miscellaneous Petitions' (hereinafter 'WMPs' for brevity i.e., WMPs thereat) are disposed of as closed/withdrawn albeit preserving all the rights and contentions of the four writ petitioners to assail the impugned orders before the aforementioned PMLA Appellate Tribunal, New Delhi under Section 26 of PMLA raising all available points including points that have been urged in the captioned writ petitions.



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4. Though obvious, we make it clear that we have not expressed any view or opinion on the merits of the matter and the PMLA Appellate Tribunal, if approached, shall consider the same on its own merits and in accordance with law untrammelled by closure /withdrawal of captioned writ petitions.

5. Captioned matters are disposed of as closed/withdrawn albeit with the aforementioned observations and preservation of rights in the aforesaid manner. There shall be no order as to costs.

(M.S.,J.) (R.S.V.,J.)

31.08.2023

Index : Yes / No
Neutral Citation : Yes / No
mmi

P.S.: *Learned counsel on record for petitioners requested for return of the original impugned orders so as to enable the petitioners to approach the PMLA Appellate Tribunal. Registry is directed to return the original impugned orders in all four matters (to the counsel on record under due acknowledgement) forthwith.*



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To

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- 1.The Deputy Director,
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No.26, Haddows Road, Chennai – 26.
- 2.The Adjudicating Authority,
Prevention of Money Laundering,
Ministry of Finance, Department of Revenue,
Room No.26, 4th Floor,
Jeevandeep Building,
Parliament Street, New Delhi – 110 001.
- 3.The Public Prosecutor,
High Court, Madras.



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**M.SUNDAR, J.,
and
R.SAKTHIVEL, J.,**

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25599 and 25601 of 2023**

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