



W.A.No.331 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.04.2024

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

W.A.No.331 of 2024

Sanjiv G Pallikal

.. Appellant

Vs

1.The Joint Director of Enforcement,
Directorate of Enforcement,
2nd & 3rd Floor, C Block,
Murugesu Naicker Office Complex,
84, Greaves Road, Thousand Lights,
Chennai-600 006.

2.Umaiya Radhai

3.The Sub Registrar – Mylapore,
100, Santhome High Road, Santhome,
Chennai-600 004.

.. Respondents

Prayer: Appeal under Clause 15 of the Letters Patent against the order dated 11.4.2023 passed by the learned Single Judge in W.P.No.11019 of 2023.



WEB COPY



W.A.No.331 of 2024

For the Appellant : Mr.Sanjay Pinto

For the Respondents : Mr.N.Ramesh
Spl. Public Prosecutor (ED)
for respondent No.1

: Ms.T.Kokilavani
for respondent No.2

: Mr.T.K.Saravanan
Government Advocate
for respondent No.3

JUDGMENT

(Delivered by the Hon'ble Chief Justice)

We have heard Mr.Sanjay Pinto, learned counsel for the appellant; Mr.T.K.Saravanan, learned Special Public Prosecutor (ED) for respondent No.1; Ms.T.Kokilavani, learned counsel for respondent No.2; and, Mr.T.K.Saravanan, learned Government Advocate for respondent No.3.

2. On 23.04.2024, the matter was taken up for hearing. It was submitted by learned counsel for the second respondent that the order of seizure/attachment was passed under FEMA



W.A.No.331 of 2024

WEB COPY

and the same was set aside by the competent authority. An appeal has been filed before the Appellate Tribunal and no interim order was passed by the Appellate Tribunal.

3. Today, learned counsel for the first respondent, upon instructions, affirms that the competent authority has set aside the order of attachment passed by the first respondent. An appeal is filed. However, no interim order was passed by the Appellate Tribunal.

4. In view of the fact that the attachment is not in force, the said fact shall be communicated to the third respondent.

5. The third respondent shall proceed ahead on the application filed by the appellant, as no attachment of respondent No.1 exists on the said property. A decision be taken by the third respondent within a period of four weeks.



W.A.No.331 of 2024

WEB COPY

6. The writ appeal, as such, is disposed of. There shall be no order as to costs. Consequently, C.M.P.No.7467 of 2024 is closed.

(S.V.G., CJ.)

(J.S.N.P., J.)

26.04.2024

Index : Yes/No
Neutral Citation : Yes/No
bbr

To

1.The Joint Director of Enforcement,
Directorate of Enforcement,
2nd & 3rd Floor, C Block,
Murugesu Naicker Office Complex,
84, Greaves Road, Thousand Lights,
Chennai-600 006.

2.The Sub Registrar – Mylapore,
100, Santhome High Road, Santhome,
Chennai-600 004.



WEB COPY



W.A.No.331 of 2024

THE HON'BLE CHIEF JUSTICE
AND
J.SATHYA NARAYANA PRASAD,J.

bbr

W.A.No.331 of 2024

26.04.2024