



WEB COPY



W.P.No.32056 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.10.2024

CORAM :

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM
AND
THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

W.P.No.32056 of 2024

Aneesunnisa

... Petitioner

Vs.

The Deputy Director,
Directorate of Enforcement, Chennai Zonal Office -I,
No.2, 5th & 6th Floor, BSNL Administrative Building,
Kushkumar Road, Nungambakkam,
Chennai – 600 034.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Certiorari, to call for the records pertaining to the impugned eviction notice dated 16.10.2024 issued by the respondent in F.No.ECIR/CEZO/40/2021 and quash the same.

For Petitioner : Mr.Hari Radhakrishnan

For Respondents : Mr.N.Ramesh
Special Public Prosecutor for ED

ORDER

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

The Writ Petition on hand has been instituted challenging the notice of eviction dated 16.10.2024 issued under Section 8(4) Prevention of Money



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Laundering Act, 2002. Admittedly an appeal lies before the Appellate Tribunal under Section 26 of the Act.

2. The learned counsel for the petitioner would submit that an appeal has already been preferred before the Appellate Tribunal under Section 26 of the Act. He would further submit that few High Courts have held that an application seeking interim relief is entertainable in the said Appeal proceedings before the Tribunal.

3. In view of the fact that a remedy is available to the petitioner before the Appellate Tribunal in the pending appeal, he is at liberty to move appropriate application seeking interim relief or otherwise in the manner known to law.

4. With the above liberty, the Writ Petition is disposed of. No costs.

[S.M.S., J.] [V.S.G., J.]

29.10.2024

Index: Yes/No

Speaking/Non-speaking order

gd

Note: Issue order copy on 30.10.2024.



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To

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