



W.P.No.8246 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.04.2025

CORAM :

THE HONOURABLE MR. JUSTICE M.S. RAMESH
AND
THE HONOURABLE MR. JUSTICE N.SENTHILKUMAR

W.P.No.8246 of 2025

James Vinod. M

...Petitioner

Vs.

1. The Directorate of Enforcement,
Represented by its Assistant Director,
Shastri Bhawan, 3rd Floor,
3rd Block, B Wing No.26, Haddows Road,
Chennai – 600 006.

2. Edison Jabaraj

3. Sony Deepa

4. Claudia

5. Livingstone

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus, to direct the first respondent to consider the representation dated 05.12.2024 and consequently direct the first respondent to initiate appropriate action and register Enforcement Case Information Report against the 2nd to 5th



W.P.No.8246 of 2025

respondents under the Prevention of Money Laundering Act, 2002 and
confiscate the properties involved in the Proceedings of Crime.

For Petitioner : Mr.G.M. Gokul Ram

For Respondent No.1 : Mr. N. Ramesh
Special Public Prosecutor

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ORDER

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

The present Writ Petition is filed for the issuance of Writ of Mandamus, to direct the first respondent to consider the representation dated 05.12.2024 and consequently direct the first respondent to initiate appropriate action and register Enforcement Case Information Report against the 2nd to 5th respondents under the Prevention of Money Laundering Act, 2002 and confiscate the properties involved in the Proceedings of Crime.

2. The petitioner states that the 2nd to 5th respondents, under the guise of running a company in the name and style of M/s.Zoye Investments Pvt. Ltd., induced the petitioner and general public and



W.P.No.8246 of 2025

received a sum of Rs.4,44,00,000/- (Rupees Four Crores and Forty-Four Lakhs Only) under the pretext of share market investments.

Subsequently, the 2nd to 5th respondents have cheated and misappropriated Rs.2,54,00,000/- (Rupees Two Crores and Fifty-Four Lakhs Only) without making any share market related investments and acquired movable and immovable properties worth several crores and hence, the petitioner suspected that there is a possibility of trading of money laundering committed by the 2nd to 5th respondents. In this regard, the petitioner made a representation before the first respondent on 18.11.2024 to initiate appropriate action and register Enforcement Case Information Report against the 2nd to 5th respondents under the Prevention of Money Laundering Act, 2002 and confiscate the properties involved in the proceeds of crime. Since the first respondent has not taken any action till date, the petitioner has come forward with this Writ Petition.

3. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.



W.P.No.8246 of 2025

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4. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon the respondents to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-consideration of the representation by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of Constitution of India and direct them to consider the same within a stipulated time.

5. In view of the above observation, this Court, without going into the merits of the petitioner's representation or the contentions of the petitioner in the affidavit filed in support of this Writ Petition, directs the first respondent to consider the representation made by the petitioner dated 05.12.2024 before the respondent, if not already disposed of and pass appropriate orders on merits and in accordance with law, within a period of three (3) months from the date of receipt of a copy of this order and communicate the same to the petitioner.



W.P.No.8246 of 2025

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6. With the above direction, this Writ Petition stands disposed of.

There shall be no order as to costs.

[M.S.R., J] [N.S., J]

22.04.2025

ASI

To

The Directorate of Enforcement,
Represented by its Assistant Director,
Shastri Bhawan, 3rd Floor,
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W.P.No.8246 of 2025

M.S.RAMESH, J.
and
N.SENTHILKUMAR, J.

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W.P.No.8246 of 2025

22.04.2025