



W.P.(Crl.) No.164 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.06.2025

CORAM :

THE HONOURABLE MR.JUSTICE M.S.RAMESH
AND
THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

W.P.(Crl.) No.164 of 2025

Hemlata Prasad

...Petitioner

vs.

1.Union of India,
Rep. by its Finance Secretary,
Ministry of Finance, New Delhi – 110 001.

2.The Director,
Enforcement Directorate,
6th Floor, Lok Nayak Bhawan,
Khan Market, New Delhi – 110 003.

3.Manoj Das Gupta

4.Dr.Dilip Kumar Datta

5.Prabhakar Rupanagunta @ Batti

6.Dilip Mehtani

7.Abhipsa P.Nagda

8.Matriprasad Satyamurthy

...Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus, directing the second respondent herein to consider the representation of the petitioner dated 20.11.2024 expeditiously after giving an opportunity.

For Petitioner : Ms.Hemlata Prasad
Party-in-Person

For R1 : Mr.R.Rajesh Vivekananthan,
Deputy Solicitor General of India

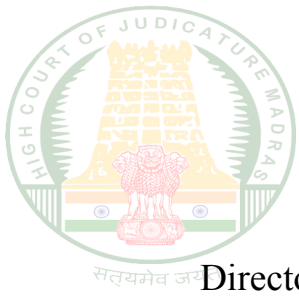
For R2 : Mr.N.Ramesh,
Special Public Prosecutor (ED)

ORDER

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

Heard Ms.Hemlata Prasad, petitioner appearing in person, Mr.R.Rajesh Vivekananthan, learned Deputy Solicitor General of India appearing for the first respondent and Mr.N.Ramesh, learned Special Public Prosecutor appearing for the second respondent. In view of the final order to be passed in this Writ Petition, no prejudice would be caused to the respondents 3 to 8 and hence, notice to the respondents 3 to 8 is dispensed with.

2.In a complaint dated 20.11.2024 addressed to the Enforcement



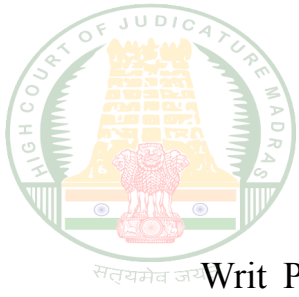
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Directorate, New Delhi, the petitioner had requested the authorities to take cognizance of her complaint against Sri Aurobindo Ashram Trust, Puducherry, alleging illegal administration and management by the Board of Trustees. Since this complaint has been addressed to the Enforcement Directorate, the petitioner presumably seeks for action under the provisions of the Prevention of Money Laundering Act (hereinafter referred to as 'PMLA').

3. Admittedly, there are no criminal cases registered or pending against the Board of Trustees of Sri Aurobindo Ashram Trust for any of the scheduled offences under the PMLA. As such, the Enforcement Directorate may not not have the authority to invoke the provisions of PMLA against the Trust Members, which is a prerequisite for such an action. Even assuming that the criminal proceedings for predicate offences are pending against any person, it would be the sole discretion of the Directorate to initiate action against such a person.

4. In the light of the above observations, the prayer in the present



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Writ Petition, seeking for a direction to the Enforcement Directorate to consider the petitioner's complaint dated 20.11.2024, cannot be maintained. Hence, the Writ Petition stands dismissed. No costs.

[M.S.R, J.] [V.L.N, J.]
26.06.2025

Index:Yes/No
Speaking order/Non-speaking order
hvk

To

- 1.The Finance Secretary,
Union of India, Ministry of Finance,
New Delhi – 110 001.
- 2.The Director,
Enforcement Directorate,
6th Floor, Lok Nayak Bhawan,
Khan Market, New Delhi – 110 003.
- 3.The Special Public Prosecutor,
High Court of Madras.



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