(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)

.THURSDAY, THE TWENTIETH DAY OF JULY
TWO THOUSAND AND TWENTY THREE

:PRESENT:

THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI

WRIT PETITION NO: 18057 OF 2023

Between:

M/s.Lexus Technologies Private Limited, Rep. by its Director Mr. Sanamsetty Subba Rao, Having its Regd. Office at Flat No. A 405, Sri Balaji Fortune Towers, Opp. Autonagar, Mangalagiri, Guntur Dist, Andhra Pradesh - 522 503

... Petitioner

AND

1. Union of India, Rep. by its Secretary, Ministry of Finance, New Delhi
2. Directorate of Enforcement, Rep. by its Director, Department of Revenue, Pravartan Bhawan, APJ Abdul Kalam Road New Delhi - 110 011
3. Directorate of Enforcement, Rep. by its Assistant Director, Visakhapatnam Sub-Zonal Office, D.No.39-33-1, Plot No.MIG-230, Madahvadara VUDA Layout, Visakhapatnam - 530 018
4. The Adjudicating Authority, Prevention of Money Laundering, Rep. by its Registrar, Dept. of Revenue, Ministry of Finance, 4th Floor, Jeevan Deep Building, Parliament Street, New Delhi - 110 001
5. Union Bank of India, Rep. by its Branch Manager, Machavaram Branch, Vijayawada

..Respondents

WHEREAS the Petitioner above named through its Advocate Sri Ravi Chandavarapu, presented this Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue an appropriate writ or order or direction more particularly a writ in the nature of a writ of Mandamus to declare the issuance and continuation of provisional attachment of the Petitioner Company current account bearing no.037111100002740, Union Bank of India, Machavaram Branch, Vijayawada vide Provisional Attachment Order No.01/2023, dt. 10-05-2023 passed by the Respondent No.3 and seeking confirmation of the same vide Original Complaint No.1996 of 2023, dt.08-06-2023 before Respondent No.4 on the basis of ECIRVKSZO/27/2022, 31-05-2022, even after the quash of Cr.No.85 of 2021, dt. 03-03-2021, Mangalagiri P.S. under Sections 420, 406, 120B R/w 34 of IPC and Cr.No.346 of 2021, dt. 19-06-2021, Mangalagiri P.S. under Sections 120B, 409, 471, 420 & 506 of IPC (Predicate Offences) by this Hon'ble Court as illegal, arbitrary, violative of Articles 14,19 and 21 of the Constitution of India, unjustified, contrary to Prevention of Money laundering Act, 2002, an abuse of authority and consequently to set aside the Provisional Attachment Order No.01/2023, dt. 10-05-2023 and Original Complaint.No.1996 of 2023, dt.08-06-2023 issued and pending before the

Respondent No.3 and 4 respectively against the Petitioner Company and forthwith release the attachment and defreeze the Petitioner Company current account bearing no.037111100002740, Union Bank of India, Machavaram Branch, Vijayawada ;

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri Ravi Chandavarapu, Advocate for the Petitioner, Sri N. Harinath, Deputy Solicitor General for respondent Nos.1 and 4, Sri Josyula Bhaskara Rao, Standing Counsel for respondent Nos.2 & 3 and Mrs Dyumani, Standing Counsel for respondent No.5, directed issue of notice to the Respondents herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

1. The Secretary, Union of India, Ministry of Finance, New Delhi
2. The Director, Directorate of Enforcement, Department of Revenue, Pravartan Bhawan, APJ Abdul Kalam Road New Delhi - 110 011
3. The Assistant Director, Directorate of Enforcement, Visakhapatnam Sub-Zonal Office, D.No.39-33-1, Plot No.MIG-230, Madahvadara VUDA Layout, Visakhapatnam - 530 018
4. The Registrar, Dept. of Revenue , The Adjudicating Authority, Prevention of Money Laundering, Ministry of Finance, 4th Floor, Jeevan Deep Building, Parliament Street, New Delhi - 110 001
5. Thé Branch Manager, Union Bank of India, Machavaram Branch, Vijayawada

are be and hereby directed to show cause either appearing in person or through an Advocate, as to why in the circumstances set out in the petition and the affidavit filed therewith (copy enclosed) this WRIT PETITION should not be admitted, on or before 27.07.2023, on which date the case stands posted for hearing.

The Court made the following ORDER:

“Notice before admission.

Sri N.Harinath, learned Deputy Solicitor General of India, takes notice on behalf of respondent Nos.1 and 4.

Sri Josyula Bhaskara Rao, learned Standing Counsel, takes notice on behalf of respondent Nos. 2 and 3.

Mrs Dyumani, learned counsel, takes notice on behalf of respondent No.5.

For getting instructions, post the matter on 27.07.2023, in the motion list."

Sd/- T. MADHAVI
ASSISTANT REGISTRAR

//TRUE COPY//

For SECTION OFFICER

To,

1. The Secretary, Union of India, Ministry of Finance, New Delhi
2. The Director, Directorate of Enforcement, Department of Revenue, Pravartan Bhawan, APJ Abdul Kalam Road New Delhi - 110 011
3. The Assistant Director, Directorate of Enforcement, Visakhapatnam Sub-Zonal Office, D.No.39-33-1, Plot No.MIG-230, Madahvadara VUDA Layout, Visakhapatnam - 530 018
4. The Registrar, Dept. of Revenue, The Adjudicating Authority, Prevention of Money Laundering, Ministry of Finance, 4th Floor, Jeevan Deep Building, Parliament Street, New Delhi - 110 001
5. The Branch Manager, Union Bank of India, Machavaram Branch, Vijayawada (Addressees Nos.1 to 5 by RPAD- along with a copy of petition and affidavit)
6. One CC to SRI. RAVI CHANDAVARAPU Advocate [OPUC]
7. One CC to Sri N. Harinath, Standing Counsel [OPUC]
8. One CC to Sri Josyula Bhaskara Rao, Standing Counsel [OPUC]
9. One CC to Mrs Dyumani, Standing Counsel [OPUC]
10. One spare copy

KJ

HIGH COURT

RC,J

DATED:20/07/2023

POST ON 27.07.2023, IN THE 'MOTION LIST'

NOTICE BEFORE ADMISSION

WP.No.18057 of 2023

HIGH COURT OF ANDHRA PRADESH
SPECIAL CELL
26 JUL 2023
DESPATCHED