



W.P.No.6342 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.03.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

**W.P.No.6342 of 2025**  
**and W.M.P.No.6973 of 2025**

Mahin Abubacker Sheikna Mohammed Ali ... Petitioner

Vs

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

2. The Assistant Director,  
Directorate of Enforcement,  
Chennai Zonal Office,  
No.2, 5th And 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 Mandamus, to direct the second respondent to forthwith withdraw the Lookout circular issued in file No.T-3/ 88/ CEZO / C/ 2015 on the file of the second Respondent dated 02.09.2022.



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For Petitioner : Mr.Vaibhav R.Venkatesh  
for M/s Srilaw Associates  
For Respondents : Mr.Rajnish Pathiyal  
Special Public Prosecutor

### **ORDER**

This Writ Petition has been filed for direction directing the second respondent to forthwith withdraw the Lookout circular issued in file No.T-3/88/CEZO/C/2015 on the file of the second respondent dated 02.09.2022.

2. Heard the learned counsel on either side and perused the materials available on record.

3. The case of the petitioner is that he is involved in the Trading business of buying and selling of goods from Hong kong/Singapore. In view of the same, the petitioner used to travel frequently to Hong kong. During the year 2014, the petitioner had signed some documents and he was also paid \$2500 Hong kong dollars. The petitioner had handed over the signed papers to one Hossain. On 26.08.2022, when the petitioner came back to India from Dubai, he was



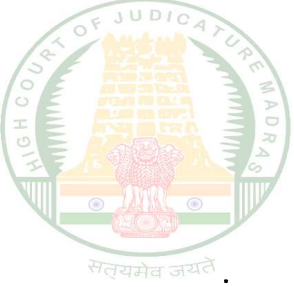
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detained at the Chennai International Airport by the Immigration Authorities. On enquiry, the petitioner was informed that a look out circular has been issued against him by the respondents.

4. The petitioner was thereafter issued summons to appear before the second respondent for an enquiry on 21.09.2022. The petitioner attended the enquiry and it is claimed by the petitioner that only at that point of time he understood that the signatures that were made by the petitioner in several papers was used to open a bank account by the above said Hossain at Hong kong and there was transfer of funds from a company named Raju Trading Corporation to the account that was opened at Hong kong. The petitioner claims that he had no role to play in the said transactions and that the petitioner was hoodwinked to sign certain papers and that he has become a victim of circumstances.

5. The petitioner claims that he was frequently traveling from India to Hong kong for his business and since the look out circular is pending against him, he is not able to leave India. Under these



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circumstances, the present writ petition came to be filed before this Court for a direction to the second respondent to withdraw the look out circular.

6. The learned Special Public Prosecutor submitted that the petitioner must give an assurance that he will be present for enquiry or during the proceedings initiated under the Foreign Exchange Management Act and if such assurance is given, he leaves it to the Court to pass appropriate orders in this writ petition.

7. The learned counsel for the petitioner submitted that the petitioner is willing to co-operate for the enquiry conducted by the second respondent and he will also be present as and when he is summoned during the proceedings. In the light of the undertaking given by the petitioner, this Court is inclined to issue appropriate directions to the respondents to keep the LOC in abeyance.



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8. This will ensure the free movement of the petitioner from India to other foreign countries. If ultimately the petitioner goes against the undertaking or does not co-operate for the enquiry, the LOC can once again be renewed or can be issued afresh against the petitioner.

9. In the result, there shall be a direction to the petitioner to go over to the office of the second respondent and the petitioner shall give an affidavit of undertaking before the second respondent that he will attend the enquiry or appear during the proceedings as and when required by the second respondent.

10. On such undertaking being given by the petitioner, the second respondent shall take steps to keep the LOC in abeyance to ensure the free movement of the petitioner from and to India.



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11. Accordingly, this Writ Petition petition is disposed of.

Consequently, connected Miscellaneous petition is closed. No costs.

13.03.2025

Index : Yes/No  
Neutral citation : Yes/No  
Speaking/non-speaking order  
mn



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3. The Public Prosecutor,  
High Court, Madras.



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**G.K.ILANTHIRAIYAN. J.**

mn

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