

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.10.2016

CORAM

THE HONOURABLE Mr.JUSTICE B.RAJENDRAN

WP.No.37507 of 2016

P.Easwaran

..Petitioner

-Vs-

The Competent Authority cum
District Revenue Officer,
Thiruppur District,
Thiruppur.

..Respondent

PRAYER : Writ petition filed under Article 226 of the Constitution of India to issue a ppropriate Writs, Orders or Directions and in particular a writ in the nature of Mandamus dircting the respondent to dispose the representation made by the petitioner dt.26.07.2016 to defreeze the S.B.A/c.No.15979 in the Coimbatore D.C.C.Bank, Udumalpet Branch, Coimbatore on merits within a time frame fixed by this Hon'ble Court.

For Petitioner : Ms.M.Shobana

For Respondents : Mr.A.M.Thambi Durai
Special Government Pleader

ORDER

Heard Ms.M.Shobana, learned counsel for the petitioner and Mr.A.N.Thambi Durai, learned Special Government Pleader accepting notice on behalf of the respondent.

2 The petitioner's case is that he along with others started a Non-Banking and Non-Financial Institution in Udumalpet in the name and style of "Sri Sowbaghya Finance" in the year 1993 and that, due to unpredicted circumstances, the company went into loss and that the depositors made a criminal complaint against the petitioner and others under Tamil Nadu Protection of Interest of Depositors Act, 1997, [TANPID Act] and as such, the Government issued G.O,Ms.No.1336, dated 15.12.2003 taking temporary possession of the movable and immovable properties of the Company and also freezed the Bank Account of the petitioner bearing SB A/c.No.15979 in DCC Bank, Udumalpet Branch, Coimbatore. The petitioner also states that out of 57 depositors, they have settled the amounts for 43 depositors and only if the Bank account is defreezed, he could be able to settle the remaining 14 depositors. It is the further case of the petitioner that the respondent herein has filed OA.No.16/2008 before the Special Court for TANPID Cases, Coimbatore

for the sale of immovable properties and for permanent freezing of the petitioner's Savings Account and the said case was dismissed by the Court below vide Judgment dated 15.10.2012. When the petitioner approached the Bank for defreezing the account, he was informed that the respondent should sent a communication to the Bank to that effect. Since Tirupur District was formed subsequently, Udumalpet Taluk, comes within the jurisdiction of Tiruppur District and hence, the petitioner has submitted a representation dated 04.09.2013 to the respondent herein and since there was no response, he made an application under the Right to Information Act, 2005 on 15.06.2015 and no response was forthcoming from the Information Officer. Finally on 26.07.2016, the petitioner has submitted one more representation to the respondent to take necessary action to defreeze the account and since he is yet to be favoured with any kind of response, the petitioner is before this Court, with this writ petition.

3 Though the petitioner has prayed for a larger relief, this Court in the light of the above facts and circumstances and without going into the merits of the claim projected by the petitioner in his representation, directs the respondent to consider and dispose of the

B.RAJENDRAN.,J
AP

petitioner's representation dated 26.07.2016 on merits and in accordance with law and pass orders as expeditiously as possible, and communicate the decision taken to the petitioner.

4 The writ petition is disposed of with the above direction. No costs.

26.10.2016

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To

The Competent Authority cum
District Revenue Officer,
Thiruppur District,
Thiruppur.

W.P.NO.37507 of 2016