

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.08.2017

CORAM

THE HON'BLE MR. JUSTICE M.DURAISWAMY

W.P.No.21349 of 2017

A.Sridhar

...Petitioner

Vs.

1 The Special Commissioner
for Land Administration
Chepauk, Chennai

2 The Competent Authority/
District Revenue Officer
Collector Office, Chennai-1

3 The Competent Authority/
District Revenue Officer
Collector Office
Sathuvachari, Vellore-09

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus, directing the 3rd respondent to refund the amount of Rs.1,00,000/- which was deposited before the Special Judge, T.N.P.I.D Court in respect of Crime No.5/2002 Chennai.

For Petitioner : Mr.D.Rajagopal

For Respondents : Mr.Era.Premnath
Government Advocate

ORDER

Mr.Era.Premnath, learned Government Advocate, takes notice for the respondents. By consent, the main writ petition itself is taken up for disposal at the admission stage itself.

2. The petitioner has filed the above writ petition to issue a Writ of Mandamus, directing the 3rd respondent to refund the amount of Rs.1,00,000/-, which was deposited before the Special Judge, T.N.P.I.D Court in respect of Crime No.5/2002, Chennai.

3.1 The learned counsel appearing for the petitioner submitted that the Economic Offences Wing, Vellore registered a case against the petitioner and his family members for the offence under section 5 of T.N.P.I.D. Act in Crime No.5 of 2002. On 12.04.2002, the Special Court passed an order granting bail to the petitioner's father Annamalai Chettiyar on condition that the petitioner depositing a sum of Rs.1,00,000/-. On 03.05.2002, the petitioner's father had deposited the sum of Rs.1,00,000/-.

3.2 In the year 2004, the Economic Offences Wing filed a final report in C.C.Nos.141 and 142 and thereafter, the petitioner and other accused settled the entire amount to the depositories. On 25.07.2014, the Special Court acquitted all the accused in the criminal case. The petitioner's father Annamalai Chettiyar had died on 13.09.2004 and the Special Court passed an order on 22.4.2015 directing the 3rd respondent to refund the sum of Rs.1,00,000/-. However, the 3rd respondent has not refunded the amount. Thereafter, on 6.11.2015, the Special Court, again directed the 3rd respondent to refund the sum of Rs.1,00,000/- to the petitioner. In spite of the orders passed by the Special Court, the 3rd respondent has not refunded the amount so far.

4. Mr.Era.Premnath, learned Government Advocate, appearing for the respondents submitted that the 3rd respondent may be directed to refund the amount, within a time frame.

5. Since the 3rd respondent has not refunded the sum of Rs.1,00,000/- in spite of the order passed by the Special Court, I direct the 3rd respondent to refund the sum of Rs.1,00,000/- to the petitioner, within a period of three weeks from the date of receipt of a copy of this order.

With this observation, the writ petition is disposed of. No costs.

सत्यमेव जयते

Sd/-

Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

Rj

To

- 1 The Special Commissioner
for Land Administration
Chepauk, Chennai
- 2 The Competent Authority/
District Revenue Officer
Collector Office, Chennai-1
- 3 The Competent Authority/
District Revenue Officer
Collector Office
Sathuvachari, Vellore-09

+1cc to M/s.D.Rajagopal, Advocate, S.R.No.58269(05.09.2017)

W.P.No.21349 of 2017

RR(CO)
CU(11/08/2017)



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