



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Wednesday, the First day of March Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice N.KIRUBAKARAN

WEB COPY

CMP(MD) No.2059 of 2017
IN
CMA(MD) No.SR9104 of 2017

1 R.THANGARASU
2 T.VISALAKSHI
3 K.PERIYANNAN
4 A.INNASIMUTHU
5 V.KANAGARASU
6 S.R.RAMACHANDRAN
7 S.GANDHI

... PETITIONERS/APELLANTS

Vs

1 THE TAMIL NADU ELEMENTARY SCHOOL
TEACHERS FEDERATION CHENNAI,
REP BY ITS GENERAL SECRETARY,
NO.78, JSR MALIGAI, BELLS SALAI,
TRIPPLICANE, CHENNAI-600 005.

2 THE COMPETENT AUTHORITY,
DISTRICT REVENUE OFFICER,
KARUR DISTRICT.

3 P.SAMINATHAN

4 M.MUTHAN

5 P.RAMAIYAN

6 THE TAMILNADU ELEMENTARY SCHOOL TEACHER FEDERATION,
KRISHNARAYAPURAM BLOCK,
REP BY ITS SECRETARY,
NO.125, AMARAVATHY NAGAR,
PULIYUR POST,
KARUR DISTRICT.

... RESPONDENTS/RESPONDENTS

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to grant an interim order of suspension of the operations and all further proceedings of the order passed in IA.NO.10 of 2012 in O.A.NO.5 of 2011 dated 09/09/2016 on the file of Special Judge, TNPID Cases Madurai, pending disposal of the condone delay petition.



ORDER : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of MR.B.SARAVANAN, for MR.N.SATHEESH KUMAR, Advocate for the petitioners the court made the following order:-

The petitioners are depositors with the sixth respondent, against which, TNPID proceedings were initiated in O.A.No.5 of 2011, on the file of the learned Special Judge for TNPID Act Cases, Madurai. In the said proceedings, the property purchased in the name of the sixth respondent has been attached.

2. The first respondent, who was not a party in the original proceedings, filed an application in I.A.No.10 of 2012 in O.A.No.5 of 2011 to raise attachment contending that the property was purchased in the name of the first respondent from the donation obtained from the members of the sixth respondent. The said application has been allowed by order dated 09.09.2016. Since the petitioners are depositors with the sixth respondent and if the order of attachment is raised as per the order dated 09.09.2016 passed in I.A.No.10 of 2012 in O.A.No.5 of 2011, the petitioners will definitely be prejudiced. Moreover, the petitioners are not parties in I.A.No.10 of 2012 in O.A.No.5 of 2011.

3. Since the rights of the petitioners are prejudiced and the petitioners are not parties to I.A.No.10 of 2012 in O.A.No.5 of 2011 filed by the first respondent to raise the order of attachment, there shall be an order of interim suspension as prayed for, pending disposal of C.M.P.(MD) No.2061 of 2017 in C.M.A.(MD) No.SR9104 of 2017.

sd/-
01/03/2017

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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO
THE SPECIAL JUDGE FOR TNPID CASES, MADURAI.

+1. C.C. to M/S.N.SATHEESH KUMAR Advocate SR.No.11744

KRK
CSL/PM-PN/SAR-III/17.03.2017 : 2P/3C

ORDER
IN
CMP(MD) No.2059 of 2017
IN
CMA(MD) No.SR9104 of 2017
Date :01/03/2017