



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.06.2017

CORAM:

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THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

W.P. (MD) No. 9225 of 2014

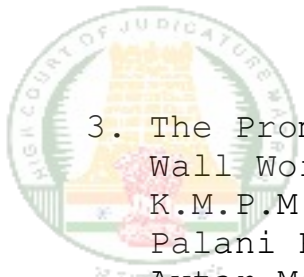
- 1.P.Balamurugan
- 2.B.Vimaladevi
- 3.T.Thimmaiyan
- 4.T.Boorthai
- 5.Pitchaimuthu
- 6.B.Govindaraj
- 7.M.T.Murugan
- 8.R.Shanmugavel
- 9.V.Thangavel
- 10.V.Kamala
- 11.Tamilselvi
- 12.P.Jeevanantham
- 13.Palraj
- 14.L.Rathinam
- 15.G.Easterraj
- 16.Estear
- 17.K.Madurai Veeran
- 18.P.Sakthivel
- 19.T.Ayyadurai
- 20.A.Gomathi
- 21.Eshwari
- 22.V.Murugesan
- 23.C.Muthusamy
- 24.R.Manoharan
- 25.R.P.Saravanan
- 26.Sankara Narayanan
- 27.Rajesh Kannan
- 28.P.Ayyathurai
- 29.Hildar Jayanthi Mari
- 30.T.Murugan
- 31.Pappammal
- 32.Uthrairaj

.. Petitioners

-Vs-

1. The Superintendent of Police,
Dindigul District,
Dindigul.

2. The Inspector of Police,
District Crime Branch,
Dindigul District.



3. The Promoters,
Wall Words Company,
K.M.P.M. Complex,
Palani Road,
Avtar Meherbaba Street,
Dindigul.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents 1 and 2 herein to disburse the amounts to the petitioners as per the bond executed by the 3rd respondent from the sum of Rs.1,00,00,000/- [Rupees One Crore only] recovered by the 1st respondent from the 3rd respondent company within a time stipulated by this court.

For Petitioners : Mr.G.Gomathi Sankar

For R1 and R2 : Mr.A.Muthukaruppan
Additional Government Pleader

For 3rd Respondent : No appearance

O R D E R

The petitioners have come up with the present writ petition for issuance of a Writ of Mandamus, directing the respondents 1 and 2 to disburse the amounts to the petitioners, as per the bound executed by the 3rd respondent.

2.The case of the petitioners is that they have deposited amount in the 3rd respondent company, on their promise to pay interest at 10% every month. However, the 3rd respondent paid the said interest only for a period of six months and thereafter, the company was locked.

3.The petitioner would further state that since the 3rd respondent cheated many depositors, a criminal case was filed against the 3rd respondent and the respondents 1 and 2 have to recover the amount to the tune of one crore and the same has to be disbursed to the petitioners.

4.The learned Additional Government Pleader by referring the counter of the 2nd respondent submitted that the 3rd respondent company through their party agents have collected huge amounts from nearly 500 depositors, however they have recovered Rs.50,00,000/- so far and the said amount has been deposited to the credit of the Crime No.26 of 2013 on the file of the Judicial Magistrate No.2, Dindigul. It is further stated that the ~~petitioner~~ ^{petitioner} is going on and steps have been taken to recover the balance amount.



5. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents 1 and 2 and perused the materials available on record.

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6. Considering the fact that more than 500 persons have invested in the 3rd respondent company and the investigation is not yet completed, this court is of the opinion that the writ petition is premature and hence, it is liable to be dismissed at this juncture.

7. In the result, the writ petition is dismissed as premature. No costs.

Sd/-

Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Dindigul District,
Dindigul.
2. The Inspector of Police,
District Crime Branch,
Dindigul District.

+1cc to Spl. Government Pleader Sr.No.60574

ER

VB/MR/KKR/SAR4/11.07.2017/3P/4C

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