

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.02.2018

CORAM:

**THE HONOURABLE MS.JUSTICE V.M.VELUMANI**

C.R.P.(PD)No.266 of 2014

- 1.Kumarasamy Gounder
- 2.Subramaniam
- 3.Palanisami
- 4.Paramasivam
- 5.Aruchamy
- 6.Gopalsamy
- 7.Raj Gounder alias Ramasamy
- 8.Kalimuthu

.. Petitioners

Vs.

- 1.The Competent Authority,  
Tiruppur.
- 2.The Inspector of Police,  
Economic Offences Wing,  
Coimbatore.

.. Respondents

**PRAYER:** Civil Revision Petition filed under Article 227 of the Constitution of India, to direct the Special Judge for TNPID Act cases, Coimbatore to receive and number the unnumbered application in I.A.No. Nil 2013 in O.A.No.16 of 2008 and dispose the same on merits within the stipulated time.

For Petitioners : Mr.N.Umapathi

For Respondents : Mr.A.Devnarendran,  
Government Advocate

**ORDER**

This Civil Revision Petition is filed to direct the Special Judge for TNPID Act cases, Coimbatore to receive and number the unnumbered application in I.A.No. Nil 2013 in O.A.No.16 of 2008 and dispose the same on merits within the stipulated time.

2.Heard the learned counsel for the petitioners as well as the learned Government Advocate for the respondents and perused the materials available on record.

3.The petitioners are depositors in finance company namely, Sowbagya Finance. The said finance company failed to repay the deposited amounts. Based on the complaint given by the petitioners, criminal proceedings were initiated and subsequently, by the judgment dated 05.11.2012, the said proceedings resulted in conviction of the partners of the finance company. Against that conviction, they have not filed any appeal. Hence, the same has become final. During pendency of the criminal proceedings, the partners of the finance company had deposited a sum of Rs.14,38,000/- in the Court towards settling the deposit amount due to the depositors. The petitioners approached the first

respondent for refund of the said amount. The first respondent informed the petitioners to approach the Special Court for disbursing the amount. The petitioners have filed the present application before TNPID Court. The learned Judge returned the application, stating to mention the correct provision of law under TNPID Act and informing that no case is pending before the Court.

4.The petitioners have not re-presented the said application by rectifying the defects pointed out by the learned Judge and approached this Court for a direction to the learned Judge to number the application.

5.Considering the fact that application has been returned for certain compliances, the petitioners are directed to re-present the same after rectifying the defects pointed out by the learned Judge within a period of two weeks from the date of receipt of a copy this order. On such re-presentation, the learned Judge is directed to number the application if it is otherwise in order and pass appropriate order with regard to disbursement of amount in Court deposit.

6. With the above direction, this Civil Revision Petition is disposed of. No costs.

16.02.2018

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**Note:** The Registry is directed to return the original application filed along with this Civil Revision Petition.

To

1. The Special Judge,  
TNPID Act cases,  
Coimbatore.
2. The Competent Authority,  
Tiruppur.
3. The Inspector of Police,  
Economic Offences Wing,  
Coimbatore.



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**V.M.VELUMANI,J.**

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