

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.11.2018

CORAM

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

W.P.No.3453 of 2014  
and  
M.P.Nos.1 & 2 of 2014

S.Gurusamy

... Petitioner

Vs.

- 1.The Government of Tamil Nadu,  
rep. by the Principal Secretary to Government,  
Home (Police XIX) Department,  
Fort St.George,  
Chennai-600 009.
- 2.The Competent Authority and  
District Revenue Officer,  
Erode, Erode District.
- 3.The Branch Manager,  
Indian Overseas Bank,  
Raman Nagar,  
Metur Dam-636 401,  
Salem District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus calling for the records relating to G.O.Ms.No.397, Home (Police XIX) Department, dated 04.06.2012 issued by the 1st respondent under Section 3 of the Tamil Nadu Protection of Interests of Depositors (In Financial Establishments) Act, 1997, and to quash the same insofar as in attaching the petitioner's pension amount and freezing his pension Savings Bank Account Number 15925 maintained with the 3rd respondent Bank and to direct the respondents to disburse him accrued pension amount deposited by his erstwhile employer in the said S.B.Account Number 15925 maintained with the 3rd respondent Bank as well as the future monthly pension amount within a time frame.

For Petitioner : Mr.P.Mani

For respondents : Mr.R.Govindasamy,  
Spl.GP for R1 & R2.

ORDER

This writ petition has been filed by the petitioner challenging the attachment order passed by the 1st respondent under Section 3 of the Tamil Nadu Protection of Interests of Depositors (in Financial Establishments) Act, 1997 (Tamil Nadu Act 44 of 1997).

2.Earlier, notice was ordered to the respondents. The learned Special Government Pleader, on instructions, submitted that after interim attachment order, on the application filed by the 2nd respondent, the interim attachment order was made absolute by the Special Court under TNPID Act Cases at Coimbatore in O.A.No.15 of 2015 vide order dated 21.12.2015.

3.In view of the same, as the attachment was made absolute, if the petitioner has any grievance, he can seek his appropriate remedy before the appropriate forum and the prayer sought by the petitioner can not be granted at this stage. Accordingly, this writ petition is dismissed. Consequently, connected Miscellaneous Petitions are closed. No costs.  
ssv

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

To

1.The Principal Secretary to Government,  
Government of Tamil Nadu,  
Home (Police XIX) Department,  
Fort St.George,  
Chennai-600 009.

2.The Competent Authority and  
District Revenue Officer,  
Erode, Erode District.

+1cc to Mr.P.Mani, Advocate, S.R.No.81014

+1cc to the Government Pleader, S.R.No.80953

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Kak(14/03/2019)