

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.02.2018

CORAM

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

WP.No.29617 of 2013
& M.P.No.1 of 2013

A.Kannan

...Petitioner

Vs.

1. The Principal Secretary to Government,
Home (Police XIX) Department,
Fort St. George, Chennai - 9.
2. Deputy Superintendent of Police,
Economic Offence Wing-II,
Salem District.
3. The Revenue Divisional Officer,
Mettur, Salem District.
4. The Sub-Registrar,
Mettur, Mettur Taluk,
Salem District.

...Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorari to call for the records, relating to the impugned G.O.Ms.No.713, Home (Police XIX, Department), dated 11.08.2010 passed by the 1st respondent and quash the same insofar as attaching the petitioner's property comprised in S.No.374/2A & 374/3A measuring an extent of each 22 cents respectively (totally 44 cents) and quash the same.

For Petitioner : M/s.M.R.Radhakrishnan
For Respondents : Mr.V.Shanmuga Sundar, Spl.G.P.

ORDER

This writ petition has been filed to quash the order of the 1st respondent passed in G.O.Ms.No.713, Home (Police XIX, Department), dated 11.08.2010, in respect of the property of the petitioner in S.No.374/2A & 374/3A.

2. Heard the learned counsel for the petitioner and the learned counsel for the respondents.

3. By the impugned order, the 1st respondent passed an interim attachment of the property, as covered under Notification issued under Section 3 of the Tamil Nadu Protection of Interest of Depositors (in Financial Establishments) Act.

4. It is not in dispute that the interim order of attachment impugned in this writ petition is valid for 30 days and thereafter, the Government has to approach the Special Court constituted under the said Act to make interim attachment absolute under Section 4.

5. It is not in dispute that the interim attachment was made absolute by the Special Court constituted under the said Act in O.A.No.6 of 10 dated 28.04.2013.

6. In the light of the above facts, I do not find any merit in this writ petition. The writ petition fails and the same is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS-IX)

//True Copy//

Sub Assistant Registrar

pvs

To

1. The Principal Secretary to Government,
Home (Police XIX) Department,
Fort St. George, Chennai - 9.
2. Deputy Superintendent of Police,
Economic Offence Wing-II,
Salem District.
3. The Revenue Divisional Officer,
Mettur, Salem District.
4. The Sub-Registrar,
Mettur, Mettur Taluk,
Salem District.

+1cc to the Government Pleader, S.R.No. 15367
+1cc to Mr.M.R. RADHAKRISHNAN, Advocate, S.R.No. 14333

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KAN(CO)
TR(19/03/2018)