



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

Monday, the Twenty Second day of October Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CMP (MD) No.1888 of 2017

IN

CMA (MD) No.SR3704 of 2017

R.C.AKHILESH

... PETITIONER/APPELLANT

Vs

1 COMPETENT AUTHORITY AND
DISTRICT REVENUE OFFICER,
KANYAKUMARI DISTRICT.

2 SUS BANKERS,
THUCKALAY, KANYAKUMARI DISTRICT.

THIRUMA (DIED)

3 SAROJA THIRUMALAI,
4 UNNI SANKAR

... RESPONDENTS/RESPONDENTS

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to grant leave to the Petitioner herein to file Appeal against the order and fair order in O.A.No.6 of 2013 on the file of the Special Judge, under TNPID Act Cases, Madurai under Tamil Nadu Protection of Interest of Depositors (In Financial Establishment) Act 1997

PRAYER IN CMA(MD) No.SR3704 of 2017

Pleased to give appropriate direction to release R.S.No. 524/3 having an extent of 4 cents 400 sq links covered by G.O.Ms.No. 392 Home Department dated 04.06.2012.

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.K.SREE KUMARAN NAIR, Advocate for the petitioner and of MR.P.KANNITHEVAN, Additional Government Pleader for R1 and MR.PUGALENDHI for the R3 and R4, the court made the following order:-

The petitioner filed the present petition for granting leave to the petitioner to file an appeal against the order, dated



21.12.2016 made in O.A.No.6 of 2013 on the file of the Special Judge, Madurai under Tamil Nadu Protection of Interest of Depositors (In Financial Establishment) Act, 1997.

2. According to the petitioner, he purchased the property in R.S.No.524/3, Kanyakumari Village, measuring 4 cents 400 sq links as per the direction of the Special Court, District Legal Services Forum and Economic Offence Wing II, for valid consideration and a sum of Rs.15,12,000/- paid by the petitioner was used for discharging the 14 depositors. The petitioner filed I.A.No.2 of 2016, in O.A.No.6 of 2013 for releasing the said property. The learned Judge after numbering I.A.No.2 of 2016 ordered sale of the property in O.A.No.6 of 2013 without deciding I.A.No.2 of 2016 filed by the petitioner, which was pending on the date of order.

3. Being satisfied with the reasons stated in the affidavit, this petition is ordered.

sd/-
22/10/2018

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

TO

THE SPECIAL JUDGE,
TAMIL NADU PROTECTION OF INTEREST OF
DEPOSITORS ACT CASES,
MADURAI

ORDER
IN
CMP (MD) No.1888 of 2017
IN
CMA (MD) No.SR3704 of 2017
Date :22/10/2018

MSI/JC/SAR-IV/30.10.2018-2P/2C