

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.10.2019

CORAM

THE HONOURABLE MR.JUSTICE C.SARAVANAN

C.M.A.No.2758 of 2003

K.Gunavathi

...Appellant/Petitioner

vs

1. The Secretary to Government,
Home Department,
Government of Tamil Nadu,
Fort St.George,
Chennai 600 009.

2. The Competent Authority and
Special Commissioner for Land Administration,
Chepauk, Chennai 600 005.

... Respondents/Respondents

Prayer:

Civil Miscellaneous Appeals filed under Section 11 of the Tamil Nadu Protection of Interests on Depositors (in Financial Establishment) Act, 1997, to set aside the order dated 27.08.2003 passed in O.A.No.10 of 2003 on the file of Special Judge under TNPID Act, 1997, Chennai.

For Appellant : Mr.D.Parthi Kannan

For Respondents : Mr.A.Devnarendran
Government Advocate

J U D G M E N T

When this case is taken up for hearing, the learned Government Advocate appearing for the respondents filed a copy of the letter dated 04.08.2014 bearing reference No.8604/2009/C3 which reads as follows:-

Out of these 58 depositors, the deposit amount for 51 persons were returned and remaining 7 persons refused to get back the amount by claiming 24% interest instead of 9% interest awarded by the Competent Authority and District

Revenue Officer, Tiruppur. But they have also finally got back their amount on 26.03.2010 from the Competent Authority and District Revenue officer, Tiruppur and the deposit amount of all 58 depositors were duly returned to them with 9% interest.

2.Again, it has been stated in the said letter as follows:-

It is submitted that the entire amount of money collected by M/s.Andavar Finance Company and by its sister concern M/s.Devi Finance were returned to the depositors and the TANPID Court also raised the properties as mentioned in the said Ref.3 Government Orders, that passed an ad-interim attachment of the Financial Company and its partner property and directed the Competent Authority and District Revenue officer, Tiruppur to return the original seized documents to the financial company and to its partners.

3.In view of the above, the present Civil Miscellaneous Appeal stands allowed by way of remand. The Special Judge under TNPID Act, 1997 is requested to pass appropriate order to bring a closure of the issue within a period of three months from the date of receipt of a copy of this order. No cost.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

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To

1. The Special Judge under TNPID Act, 1997,
Chennai 104.
2. The Section Officer,
V.R. Section, High Court, Madras.

+1cc to Mr.D.Parthi Kannan, Advocate, S.R.No.91081
+1cc to Special Government Pleader(CS), S.R.No.90869

C.M.A.No.2758 of 2003

SJ(CO)
CS/11/12/2019