

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.11.2019

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 33319 of 2018
and
W.M.P. No. 38600 of 2018

S. Chittibabu

... Petitioner

-vs-

1. The State of Tamil Nadu,
Rep by its Secretary,
Revenue Department,
Fort St. George,
Chennai - 600 009.
2. The District Revenue Officer,
Office of the District Revenue Officer,
Cuddalore, Cuddalore District.
3. The Superintendent of Police,
Economic Offences Wing II,
Cuddalore, Cuddalore District.

.... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records relating to the order passed by the Second Respondent herein in Na.Ka C3/2065/2012, dated 09.07.2017, quash the same further direct the Second Respondent to refund a sum of Rs. 2, 00,000/- along with interest.

For Petitioner : Mr. D. Anandraja

For Respondents: Mr. M. Karthikeyan
Additional Government Pleader.

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O R D E R

It is pointed out by the Learned Additional Government Pleader appearing for the Respondents that the amounts sought by the Petitioner in the Writ Petition had been collected earlier on account of the dues claimed from him in respect of which

proceedings are pending before the TANPID Court under the Tamil Nadu Protection of Interest of Depositors (In Financial Establishment) Act, 1997, and that if the Petitioner seeks refund of the same, he would have to approach the said Court by way of necessary application for the same. In view of the same, Learned Counsel for the Petitioner seeks permission of this Court to withdraw the Writ Petition with liberty to resort to the same and he has made an endorsement to that effect, which is recorded.

2. Accordingly, the Writ Petition is dismissed as withdrawn granting such liberty. It is made clear that no view has been expressed by this Court on the correctness or entitlement of the claim made by the Petitioner. Consequently, connected Miscellaneous petition is closed. No costs.

Sd/-

Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

kv/maya

To

1. The Secretary,
Revenue Department,
Fort St. George,
Chennai - 600 009.
2. The District Revenue Officer,
Office of the District Revenue Officer,
Cuddalore,
Cuddalore District.
3. The Superintendent of Police,
Economic Offences Wing II,
Cuddalore,
Cuddalore District.

+1cc to Mr. D. Anandraja, Advocate SR.95656

+1cc to the Government Pleader SR.96074

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RSV(CO)
CB(02/01/2020)