



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATE: 16.09.2019

CORAM

THE HONOURABLE MS.JUSTICE P.T.ASHA

C.R.P. (MD) .No.1930 of 2011

and

M.P. (MD) .No.1 of 2011

1.SriGuru Benefit Funds
represented by its Managing Director,
M.Ravichandran.

2.Velliyangiri

3.Muthusamy

4.Rani

5.R.Balakrishnan

... Petitioners

-Vs-

1.The Competent Authority and
District Revenue Officer,
Thiruchirapalli.

2.The Inspector of Police,
Economic Offences Wing II,
Thiruchirapalli.

3.L.T.Ramalingam

4.R.Geetha

... Respondents

PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India against the order passed in I.A.No.24 of 2008 on the file of the Special Court for TNPID Cases, Madurai, dated 27.01.2011.

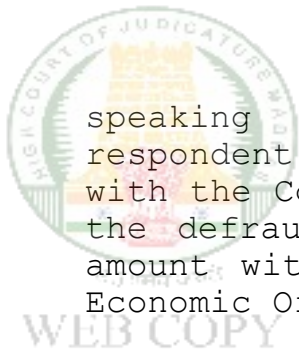
For Petitioners : Mr.K.P.S.Palanivel Rajan

For R1 & R2 : Mr.Gunaseelan Muthiah
Additional Government Pleader

For R3 & R4 : No appearance

O R D E R

The civil revision petition is filed by the Defaulted Financial Establishment/respondents before the TNPID Court against the order in I.A.No.24 of 2008, by which the learned Special Judge, Special Court under TNPID Act Cases, Madurai had passed a one line non-



speaking order, allowing an application moved by the first respondent herein seeking orders to distribute the amount available with the Competent Authority and District Revenue Officer, Trichy to the defrauded depositors at the rate of 28.4% of their deposited amount with the assistance of the concerned investigation of the Economic Offence Wing II, Tiruchirapalli.

2. The second respondent had filed a counter, wherein they have submitted that the entire amounts due to 232 depositors have been paid and that they had also no objection to disburse a sum of Rs.10,43,000/- to 195 depositors. They sought for dismissal of the application on the ground that the entire deposit amounts totaling a sum of Rs.36,73,715/- had been paid to 232 depositors. They had also furnished a list containing amount that has been disbursed to various persons.

3. The reading of the impugned order would indicate that the learned Judge has not applied his mind to the counter, which was on file and has proceeded to allow the application with a one line non-speaking order.

4. Considering the above fact, this Court is inclined to remit I.A.No.24 of 2008 back to the Special Judge, Special Court under TNPID Act Cases, Madurai, for fresh disposal and the learned Special Judge is directed to pass a speaking order within a period of two months from the date of receipt of a copy of this order, after hearing both sides.

5. With the above direction, the Civil Revision Petition is disposed of. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CO)

/TRUE COPY/

Sub Assistant Registrar

To

1.The Competent Authority and
District Revenue Officer,
Thiruchirapalli.

2.The Inspector of Police,
Economic Offences Wing II,
Thiruchirapalli.

3.The Special Court for TNPID Cases,
Madurai.



C.R.P.(MD).No.1930 of 2011

+1 CC to M/s.SPL GP (SR-87224[F] dated 17/09/2019)

+1 CC to M/s.K.P.S.PALANIVALRAJAN, Advocate (SR-86784[F] dated 16/09/2019)

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16.09.2019

akv

JM/23.09.2019/3P/6C