



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Monday, the Twenty First day of December Two Thousand and Twenty

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL MP(MD) No.6238 of 2020
IN
CRL OP(MD) No.18658 of 2019

1 RAVEENDREN
2 AJITH KUMAR
3 SEKARAN NAIR
4 PRETHYSH
5 ANIL KUMAR
6 RADHA KRISHNAN
7 NARAYANAN NAIR
8 KRISHA KUMAR

... PETITIONERS/ PETITIONERS

Vs

1 THE DISTRICT REVENUE OFFICER /
COMPETENT AUTHORITY, COLLECTORATE,
NAGARCOIL, KANYAKUMARI DISTRICT.

2 THE STATE OF TAMIL NADU,
THE DEPUTY SUPERINTENDENT OF POLICE,
ECONOMIC OFFENCES WING-II,
NAGARCOIL, KANYAKUMARI DISTRICT.
(IN CRIME NO.1/2017)

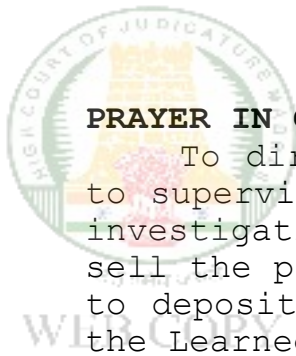
... RESPONDENTS/ RESPONDENTS NO.1 & 2

3 BHASIKUMARAN NAIR
4 N.ASOKAN

... RESPONDENTS/ RESPONDENT NO.3 AND 4
IMPLEADED AS PER ORDER IN

CRL MP(MD)NO.658 OF 2020 DATED 09.03.2020

Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to modify para 4 of the order passed in Crl.O.P(MD)No.18658 of 2019 dated 09.03.2020 wherein "Therefore, The Learned Special Judge for TNPID Act cases, Madurai is directed to immediate steps for selling the above mentioned items for sale through public auction. The entire process shall be concluded within a period of 50 days from the date of receipt of a copy of this order" may be modified as **"The learned Special Judge for TNPID Act Cases, Madurai is directed to take steps to put in auction and sale of the 111 plots, specified in the appended plan and categorized as A, B, C and D category of the property situated in Puliyoorsala Village and covered by documents No.338 of 2011, 2883 of 2011 and 2160 of 2014"**.



PRAYER IN CRL OP(MD) No.18658 of 2019:

To direct the 1st Respondent to appoint a receiver / commission to supervise the sale of the immovable properties identified by the investigating officer and authorized the receiver so appointed to sell the property of the Accused to intending purchasers and further to deposit the sale proceedings in C.C.No.6 of 2019 on the file of the Learned Special Court of TANPID Cases, Madurai.

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.K.VIJAYAN, Advocate for the petitioners and of Mr.A.ROBINSON, Government Advocate for the Respondents 1 & 2 and Mr.S.C.HEROLD SINGH, Advocate for the Respondents 3 & 4, the Court made the following order:-

This Court, vide order dated 15.12.2020, had directed the Special Court to sell the land in question in parcels, if that would fetch more amount and thereby, serve the interests of the depositors. Thereafter, the learned counsel for some of the depositors made a mention that such parcelling may not be statutorily permissible and that, therefore, such a request has been made only to delay the process of settlement. Therefore, the case was listed under the caption 'for being mentioned'.

2.The learned counsel appearing for the accused states that the process of obtaining permission for parcelling the land will not take more than two weeks. I make it clear that it is left the decision of the learned Special Judge. If the land can be parcelled without much consumption of time and if that would fetch more amount, the learned Special Judge can permit such sale. If there arise some technical difficulties to sell the land in parcels, the land will be sold as an undivided piece.

3 I make it clear that all the incidental issues can be dealt with by the learned Special Judge himself and it is not necessary to await instructions from this Bench.

sd/-
21/12/2020

/ TRUE COPY /

/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

NOTE:In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.



TO

1.THE SPECIAL JUDGE OF TANPID CASES, MADURAI.

2.THE DISTRICT REVENUE OFFICER /
COMPETENT AUTHORITY, COLLECTORATE,
NAGARCOIL, KANYAKUMARI DISTRICT.

3.THE STATE OF TAMIL NADU,
THE DEPUTY SUPERINTENDENT OF POLICE,
ECONOMIC OFFENCES WING-II,
NAGARCOIL, KANYAKUMARI DISTRICT.

4.THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. C.C. to M/S.K.K.VIJAYAN Advocate SR.No.8444

ORDER
IN
CRL MP (MD) No.6238 of 2020
IN
CRL OP (MD) No.18658 of 2019
Date :21/12/2020

RMI

TK/VR/SAR.3/05.01.2021/3P/6C