



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Special Original Jurisdiction

Thursday, the Second day of January Two Thousand Twenty

PRESENT

The Hon`ble Mr.Justice A.D.JAGADISH CHANDIRA

WP(MD)Nos.26735 and 27280 of 2019

WP(MD) . No.26735 of 2019

Leon

... Petitioner

Vs

1 The District Collector
Tenkasi District

2 The Superintendent of Police
Tenkasi District

3 The Inspector of Police
Aykudi Police Station Tenkasi District

4 The Inspector of Police
Economic Offence Wing Madurai

5 Apsal India Ltd
51 K.A.S.P.Tower Bye Pass Road Near Arisro
Hospital Madurai Rep by its Managing
Director A.Senthilvel S/o.Avudaiappan

... Respondents

Prayer :-

This Petition filed Under Article 226 of Constitution of India praying for issuance of a writ of mandamus directing the respondents 1 to 4 to take appropriate action on the basis of the petitioner's representation dt 27.11.2019 in Crime no.2/2017 in 4th respondent police and identify the assets of 5th respondent company, forfeit the same and may settle the dues of the petitioner after disposing the properties of 5th respondent.



WP (MD) .27280/ 2019

R.Seenivasan

... Petitioner

WEB COPY

- Vs. -

1. The Additional Superintendent of Police,
Economic Offences Wing, Madurai.
2. The Inspector of Police Economic Offences Wing, Madurai
3. Thangavel
4. M.Selvaraj,
5. Rukmani Devi
6. P.Pon Nandhagopal
7. G.Thirumal
8. V.Ganesan
9. Rekha
10. R.Daniel

... Respondents

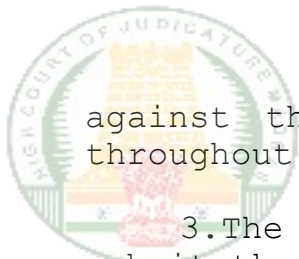
Prayer in WP(MD). 27280/ 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a writ of mandamus directing the respondents 1 and 2 to conduct proper enquiry and take appropriate action against the respondents 3 to 10 on the basis of the petitioner's representation dated 12.04.2018 and 19.03.2019, within a time filed by this Court.

ORDER:- These Petitions coming up for orders on this day and upon perusing the petitions and the affidavits filed in support thereof and upon hearing the arguments of Thiru. N, Madhavagovindan, Advocate for the Petitioner in WP(MD)26735/19 and of Thiru.K.Mohammed Sirajudeen, Advocate for the petitioner in WP(MD) 27280/19, Mr.S.Chandrasekaran, Additional Public Prosecutor for Respondents 1 to 4 in WP(MD)26735/19 and respondents 1 & 2 in WP(MD) 27280/19 and Mr.K.P.Narayanakumar, Advocate for the fifth respondent in WP(MD)26735/19, this Court made the following order:

This writ petition has been filed to direct the respondents 1 to 4 to take appropriate action on the basis of the petitioner representation dated 27.11.2019 in Crime No.2 of 2017 pending on the file of the fourth respondent police and identify the assets of 5th respondent company forfeit the same and to settle the dues of the petitioner after disposing the properties of 5th respondent.

2.The learned Additional Public Prosecutor appearing for the respondents 1 to 4 would submit that apart from the case registered by the fourth respondent, there are several other complaints pending



against the fifth respondent before the various police stations throughout Tamilnadu and Pandicherry.

3.The learned counsel appearing for the fifth respondent would submit that the fifth respondent company is a Public Limited Company which is genuinely running business and they have so far collected deposits to the tune of Rs.98,56,49,826/- from the customers throughout the Tamilnadu and the company had settled the maturity amount to its customers in various branches to the tune of Rs.34,21,19,706/-. He would further submit that the deposits collected from the customers have been invested in the form of immovable properties throughout Tamilnadu and the fifth respondent company is holding 2000 acres of land and the value of the land about Rs.83 Crores. He would further submit that the fifth respondent has no objection for appointing a committee to take over the properties and to settle the issues. The fifth respondent / the Managing Director of the company has also filed an affidavit wherein in Paragraph Nos.5, 6 and 7 he had given details with regard to the deposits collected so far and details regarding repayment of matured deposits and the details of the assets and liabilities of the company as on date.

4.In view of the above, the learned Additional Public Prosecutor is directed to call for the report from ADGP, Economic Offences Wing, Guindy, Chennai, with regard to the details of the complaints/case pending against the fifth respondent throughout the State and also verify with regard to the information furnished by the fifth respondent company with regard to the assets and the liabilities of the company as on date.

5.Post the matter on 30.01.2020 "for filing report".

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

TO

1. The District Collector
Tenkasi District

2. The Superintendent of Police
Tenkasi District

3. The Inspector of Police

<https://hcservices.ezra.in/hcservices> Police Station Tenkasi District.



4. The Inspector of Police
Economic Offence Wing Madurai

5. The Additional Superintendent of Police,
Economic Offences Wing, Madurai

6. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, madurai.

Copy to:-

The Additional Director General of Police,
Economic offences Wing, Guindy, Chennai.

Copy to:

The Section Officer,
Writ Section,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.K.P.NARAYANA KUMAR, Advocate (SR-105501) 02/01/2020

ORDER DATED : 02/01/2020

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ORDER

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WP(MD). No.26735 of 2019

Giving direction and etc.
as stated within.

SDS(07.01.2020) 4P-10C