



WEB COPY

Cont.P.No.568 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.10.2021

CORAM

THE HON'BLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Cont.P.No.568 of 2021

Paazee Nidhi Niruvannathal Pathikkapattor Nalasangam,
Rep.by its President,
Eadu Radhakrishnan,
No.44, Teachers Colony,
West Anna Thoppu, Madurai.

Now presently having office at:-
135, V.S.A.Complex,
2nd Floor, Opp.Guru theatre,
Bethaniyapuram,
Madurai – 625 016.

... Petitioner

Vs.

G.Saravanamurthy,
District Revenue Officer,
Tirupur,
Tirupur District.

... Respondent

PRAYER: Petition filed under Section 11 of the Contempt of Court Act, to punish the respondent for the deliberate and wilful disobedience of the order dated 09.07.2019 passed by this Court in Crl.O.P.No.3715 of 2019.

For Petitioner : Mr.Peer Mohammed
For Respondent : Mr.N.S.Suganthan
Additional Public Prosecutor

ORDER

This Contempt Petition has been filed to punish the respondent for the deliberate and wilful disobedience of the order dated 09.07.2019 passed



by this Court in CrI.O.P.No.3715 of 2019, thereby this Court directed the District Revenue Officer/Competent Authority to settle the amount realised from the 30 insurance policies of the second respondent /accused as per the absolute order of attachment passed in O.A.No.7 of 2014 on the file of the Special Court TANPID Act, Coimbatore to the depositors within a period of three months from the date of receipt of a copy of that order.

2. The respondent is the Competent Officer, viz., Mr.Saravanamurthy, District Revenue Officer, Tiruppur and he appeared in person before this Court and filed counter affidavit. From the counter affidavit, it reveals that the petitioner's association is consisting only 1499 depositors, whereas, there are totally 52,893 depositors under various financial schemes like Festival Offer, Promotional Offer, Anniversary Scheme, Scheme-II, and Aadi Dhamakka. Out of the amounts collected, the accused have returned only a meager sum of Rs.340,15,19,623/- to a portion of the depositors and thereby, cheated in a sum of Rs.870,10,85,878/- to the depositors.

3. As directed by this Court, the insurance policies realized only to the tune of Rs.58,22,177/- including Fixed Deposit of Rs.4 Crores and the respondent has secured only Rs.4,58,22,177/- totally. So far, only seven immovable properties attached by the respondent and was about to conduct public auction to realize the sale proceeds in terms of money, whereas, there

<https://hcservices.ecourts.gov.in/hcservices> are 52,893 depositors to be dealt with who have to be repaid the amount to



the tune of Rs.870,10,85,878/-. Therefore, it is very difficult for the respondent to disburse equal share to all the depositors concerned. That apart, if the petitioner/Association's members are paid proportionate amount of Fixed Deposit, there will be a law and order problem from the other depositors.

4. As directed by this Court, the respondent has to encash the 30 insurance policies and from the accused, they realized the Fixed Deposit amount as stated supra, So far 7 immovable properties were attached and they were about to conduct auction of the same by the Special Court TANPID Act, Coimbatore. Therefore, if the petitioners settle portion of the deposited amount, there will be a law and order problem from the other depositors. Now, the Trial is pending before the Special Court TANPID Act, Coimbatore in C.C.No.9 of 2011 and also the attachment of properties was made absolute in O.A.No.17 of 2015 by order dated 25.03.2021 on the file of the Special Court TANPID Act, Coimbatore.

5. Considering the above, the respondent is directed to auction the attached properties and realize the sale proceeds. The petitioner/Association's members are directed to approach the Trial Court viz., the Special Court TANPID Act, Coimbatore. The Trial Court is directed to issue necessary direction for the equal disbursal of the amount to the depositors from the money recovered from the accused and realized out



of sale of the attached properties.

6. With the above direction, this Contempt Petition is disposed of.

SD/-

ASSISTANT REGISTRAR(COMM.CASES)

kv

//Certified to be true copy//

Dated at Madras this the day of 2022.

COURT OFFICER(O.S.)

from 25th day of September 2008 the Registry is issuing Certified copies of the Orders/Judgments/Decrees in this format.

GS/30/11/2021

To

1. The Special Court TANPID Act,
Coimbatore

2. The District Revenue Officer,
Tirupur, Tirupur District.