



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.06.2021

CORAM

THE HONOURABLE MR.JUSTICE **K.MURALI SHANKAR**

WEB COPY

C.M.A. (MD).536 of 2021

and

C.M.P. (MD).No.4971 of 2021

P.Palanisamy
S/o.K.Ponniah

: Appellant/5th Respondent

Vs.

1.P.Balasubramanian

2.Jothi

3.V.Muniyandi

4.Jeyaram

...1 to 4 Respondents/Petitioners

5.Blessing Agro Farm India Limited Company,
No.1K Kajiyar Complex North Gate,
S.S.Colony,
Madurai-10.

6.Joseph Jeyaraj

7.Christopher
S/o.Davidram

8.I.R.J.Ilanga

...5 to 8 respondents/ 1 to 4 Respondents

9.The District Revenue Officer,
Collector Office Building,
Nearby Anna Bus Stand,
Madurai.

10.The Inspector of Police,
E.O.W. Economic Offence Police Station,
Viswanathapuram,
Madurai-1.

: 9 & 10 Respondents /6 & 7 Respondents

PRAYER: Civil Miscellaneous Appeal is filed under Section 11 of TamilNasu Protection of Interests of Depositors in Financial Establishments Act 1997 to Set aside the order dated 31.03.2021 passed in O.S.No.2 of 2020 on the file of the learned Special Judge, Special Court under TNPID Act Cases, Madurai.

For Appellant

: Mr.B.Jameel Arasu for
Mr.G.Saravanakumar



J U D G M E N T

The Civil Miscellaneous Appeal is directed against the order passed in O.S.No.2 of 2020 dated 31.03.2021 on the file of the learned Special Judge, Special Court under TNPID Act Cases, Madurai.

2.It is evident that the petitioners 1 to 4, who are the depositors of the first respondent company/Blessing Agro Farm Indai Limited Company, have filed an application under Section 8 of the Tamil Nadu Protection of Interest of Depositors (In Financial Establishment) Act 1997, seeking attachment of the schedule properties, which was allegedly purchased by the respondents 4 to 7 and that the Special Court has passed the impugned order dated 31.03.2021 attaching the properties.

3.When the case is taken up today, the learned counsel for the appellant submitted that he has already filed an ex-parte set aside petition and the same is pending on the file of the Special Court without taking it on file and the necessary direction may be issued for numbering the petition and to decide the same.

4.In view of the submission made by the learned counsel for the appellant, the learned Special Judge, Special Court under TNPID Act Cases, Madurai is directed to take the petition on file and dispose of the same on merits and in accordance with law.

With the above direction, the Civil Miscellaneous Appeal is disposed of. No Costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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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

The Special Judge, Special Court under TNPID Act Cases,
Madurai.



Copy to

The Section Officer, (2C)
V.R Section,
Madurai Bench of Madras High Court,
Madurai.

C.M.A. (MD) .536 of 2021
23.06.2021

KB (05.07.2021) 3P 4C