



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.07.2021

CORAM :

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD) .No.11588 of 2021

P.Nagammal

... Petitioner

Vs.

1.The Principal Secretary to the Government,
Government of Tamil Nadu,
Home (Police XIX) Department,
Fort St. George,
Chennai - 09.

2.The Competent Authority and
District Revenue Officer,
Karur,
Karur District.

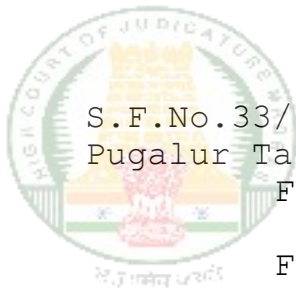
3.The District Collector,
Karur District,
Karur.

4.The Sub Registrar,
Velayuthampalayam,
Karur District.

5.The Inspector of Police,
Economic Offences Wing - II,
Karur,
Karur District.
(Crime No.3 of 2007)

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order passed by the 1st respondent in G.O.Ms.No.141, Home (Police XIX) Department, Dated 04.03.2013 and quash the same and consequently direct the respondents 3 and 4 to delete or to make necessary entries in the registration records including encumbrance certificate by removing the entry of attachment made on the basis of G.O.Ms.No. 141 Home (Police XIX) Department, dated 04.03.2013, in respect of petitioner's property comprised in S.F.No.185/38 which an extent of 0.102 Sq.mtr S.F.No. 188C2, which an extent of 1.25 acre at Kombupalayam Village and



S.F.No.33/3, which an extent of 0.50 acre at Vettamangalam Village, Pugalur Taluk, Karur District.

For Petitioner : Ms.V.Muthukamatchi

For Respondents : Mr.M.Lingadurai
Government Advocate

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ORDER

This writ petition has been filed challenging G.O.Ms.No.141, Home (Police XIX) Department, dated 04.03.2013 and for a consequential direction to the respondents to delete the entries made at the time of passing the Government Order and attaching the property belonging to the petitioner.

2.Heard Ms.V.Muthukamatchi, learned counsel appearing for the petitioner and Mr.M.Lingadurai, learned Government Counsel, appearing for the respondents.

3.It is seen from the records that a criminal case came to be registered for an offence under the TANPID Act. During the pendency of the proceedings, an order of attachment came to be passed and the property belonging to the petitioner was attached and it was also recorded in the records belonging to the fourth respondent. Subsequently, the petitioner had settled the amount and the petitioner was also acquitted from the criminal case.

4.The grievance of the petitioner is that in spite of her acquittal from the criminal case, the Government Order is in force and the attachment still gets reflected in the records of the fourth respondent. Left with no other alternative, the present writ petition has been filed before this Court.

5.In the considered view of this Court, once the petitioner has been acquitted from the criminal case, the order of interim attachment made in G.O.Ms.No.141 Home (Police XIX) Department, dated 04.03.2013, passed by the first respondent will have to necessarily go.

6.The learned Government Advocate appearing on behalf of the respondents submitted that the competent authority had already initiated steps to get the interim attachment lifted and the necessary communication will be made to the fourth respondent in this regard. The learned counsel submitted that the same will be done within the time fixed by this Court.

7.Taking into consideration the facts and circumstances of the case and the submissions made by the learned Government Counsel, the Government Order passed in G.O.Ms.No. 141 Home (Police XIX) Department, dated 04.03.2013, is held to be inoperative. The second respondent shall take immediate steps to get the interim attachment



lifted from the records of the fourth respondent, within a period of four weeks from the date of receipt of a copy of this order.

8.This writ petition is allowed with the above directions. No costs.

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Sd/-

Assistant Registrar (CS I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TM

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 Principal Secretary to the Government,
Government of Tamil Nadu,
Home (Police XIX) Department,
Fort St. George, Chennai - 09.

2.The Competent Authority and
District Revenue Officer,
Karur, Karur District.

3.The District Collector,
Karur District, Karur.

4.The Sub Registrar,
Velayuthampalayam, Karur District.

5.The Inspector of Police,
Economic Offences Wing - II,
Karur, Karur District.

+1 CC to M/s.SPL GP (SR-22565[F] dated 14/07/2021)

Order made in

W.P. (MD) .No.11588 of 2021

13.07.2021

MGJ(20.07.2021) 3P 7C

<https://hcservices.ecourts.gov.in/hcservices/>