



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **16.09.2021**

CORAM

THE HONOURABLE MR.JUSTICE **G.ILANGOVAN**

WEB COPY

W.P. (MD) No.15293 of 2021

and

W.M.P. (MD) No.12189 of 2021

Jesu Dhasan

.. Petitioner

Vs

1.The Competent Authority,
District Revenue Officer,
Kanyakumari District.

2.The Deputy Superintendent of Police,
Economic Offences Wing-II,
Kanyakumari District,
Nagercoil.

.. Respondents

PRAYER:Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the 1st respondent to forthwith compound the offence as per the order passed by the Special Court under TNPID Act cases, Madurai in CrI.M.P.No.1777 of 202 in C.C.No.5 of 2021 dated 03.12.2020 in accordance with law within a time frame that may be stipulated by this Court.

For Petitioner : Mr.P.T.Ramesh Raja

For Respondents : Mr.R.Meenakshi Sundaram

Additional Public Prosecutor

ORDER

This petition is filed seeking direction to the 1st respondent to compound the offence, as per the order passed in CrI.M.P.No.1777 of 202 in C.C.No.5 of 2021, on the basis of the earlier order passed by this Court in W.P.(MD) No.2868 of 2021.

2.By the aforesaid order, the competent authority was directed to complete the process within a period of 6 months from the date of receipt of a copy of the order, viz., dated 19.02.2021. It expired on 19.08.2021.

3.The learned Additional Public Prosecutor for the respondents would submit that the proceedings were undertaken by the competent authority and the petitioner undertook to settle the amount to the depositors.



4.It is also submitted by the learned Additional Public Prosecutor that the proceedings are still pending, so that the petitioner can appear before the authorized officer.

5.The learned counsel appearing for the petitioner would submit that in spite of the pendency of the aforesaid proceedings before the competent authority, the trial Court insisted upon the proceedings to be undertaken. However, no stay order can be granted in this matter.

6.It appears that there is a dispute with regard to the number of depositors to be settled. Since proceedings have been undertaken by the competent authority, the petitioner has to appear before the Enquiry Officer and workout his remedy properly. The dispute with regard to the number of depositors to be settled cannot be gone and any direction cannot be given by this Court, without any proper documentary evidence.

7.Let the petitioner appear before the competent authority and workout his remedy appropriately by placing his grievance.

8.With the aforesaid direction, this petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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To

- 1.The Competent Authority,under TNPID Act.
(District Revenue Officer),
Kanyakumari District.
- 2.The Deputy Superintendent of Police,
Economic Offences Wing-II,
Kanyakumari District,
Nagercoil.

W.P. (MD)No.15293 of 2021
16.09.2021

KMV (CO)
KB(27.09.2021) 2P 3C