



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.01.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD)No.19268 of 2020

V.Venkatasamy

... Petitioner

-Vs-

1.The Secretary to Government,
Home (Courts II A) Department,
Government of Tamilnadu,
Chennai-9.

2.The Additional Director General of Police,
Economic Offences Wing,
Chennai-32.

3.The District Revenue Officer/Competent Authority,
Thoothukudi District,
Thoothukudi.

4.The Revenue Divisional Officer,
Kovilpatti Revenue Division,
Kovilpatti,
Thoothukudi District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the first respondent to consider the representation of the petitioner dated 09.12.2019 within the time to be stipulated by this Court.

For Petitioner : Mr.R.Meenakshi Sundaram

For Respondents : Mr.C.Ramar

Additional Government Pleader

ORDER

Heard the learned counsel on either side. By consent of both parties, this writ petition is taken up for final disposal at the admission stage itself.

2.The petitioner was running the financial establishments. He had collected deposits from the general public. He committed default. Therefore, the petitioner was prosecuted in C.C.No.97 of 2008 on the file of the Special Court for TNPID Act cases,



Madurai. The said case ended in acquittal.

3.The petitioner's counsel, on instructions, asserts before this Court that all the deposits have been settled and that there is not even a single claim pending against the petitioner herein. The said submission made by the petitioner is recorded. I make it clear that if this statement turns out to be incorrect, the petitioner will be visited with severe consequence for having made a false statement before this Court. It is also seen that the attachments effected against the petitioner's properties have been raised. However, the possession is yet to be handed over to the petitioner. The petitioner has given a representation in this regard. It is not the case of the respondents that any prosecution is still pending against the petitioner. Even the attachments have been raised. Therefore, it is only just and proper that the possession is also handed over to the petitioner without any delay.

4.Therefore, the first respondent is directed to pass orders on the petitioner's representation on merits and in accordance with law within a period of six weeks from the date of receipt of a copy of this order.

5.The Writ Petition is allowed accordingly. No costs.

Sd/-

Assistant Registrar(AD-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

1.The Secretary to Government,
Home (Courts II A) Department,
Government of Tamilnadu,
Chennai-9.



2.The Additional Director General of Police,
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Chennai-32.

3.The District Revenue Officer/Competent Authority,
Thoothukudi District,
Thoothukudi.

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Kovilpatti,
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+1 CC to M/s.GP (SR-2615[F] dated 01/02/2021)

W.P. (MD)No.19268 of 2020
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