



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.04.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.6883 of 2022

R.Vinoth

... Petitioner

Vs.

1. The Deputy Superintendent of Police,
Economic Offences Wing - II,
Erode,
Erode District.
2. The Inspector of Police,
Economic Offences Wing - II,
Erode,
Erode District.
3. The Sub Registrar,
Mettur,
Salem District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the third respondent to register the deed of power of attorney dated 17.09.2019 submitted by the petitioner in respect of his property in S.No.377 (Sub-division as 377/2 and 377/4) to the extent of 4.63 acres, situated at Alamarathupatty Village, Mettur Taluk, Salem District since the property is free from any encumbrance and not attached any of the criminal proceedings as case property including in C.C.No.25 of 2021 on the file of the Special Court of TANPID, Coimbatore.

For petitioner : Mr.V.Elangovan

For Respondents : Mr.Yogesh Kannadasan
Special Government Pleader

ORDER

The petitioner has filed this petition seeking direction to the third respondent to register the deed of power of attorney dated 17.09.2019 submitted by the petitioner in respect of his property in S.No.377 (Sub-division as 377/2 and 377/4) to the



extent of 4.63 acres, situated at Alamarathupatty Village, Mettur Taluk, Salem District since the property is free from any encumbrance and not attached any of the criminal proceedings as case property including in C.C.No.25 of 2021 on the file of the Special Court of TANPID, Coimbatore.

2. Mr.Yogesh Kannadasan, learned Special Government Pleader takes notice for the respondents. In view of the limited relief sought for in this petition and on the consent expressed by the learned counsel appearing on either side, this petition is taken up for final disposal.

3. The case of the petitioner is that the petitioner is the owner of the property comprised in S.No.377, measuring an extent of 4.63 acres, situated at Alamarathupatty village, Mettur Taluk, Salem District. Originally, the said property belongs to one Sasikumar. Thereafter, the said Sasikumar executed the Sale Deed dated 11.06.2018, vide document no.1512 of 2018 on the file of the third respondent, in favour of the petitioner. Thereafter, the petitioner submitted a deed of power of attorney on 17.09.2019, before the third respondent and the same was refused to be registered by the third respondent by stating that the property belongs to the petitioner is to be withheld for any registration and also submit documents for the period of 15 years. Thereafter, the petitioner received summon from the second respondent under Section 91 and 160 of Cr.P.C, called upon to appear for enquiry on 19.09.2019. After completing the enquiry the second respondent filed the final report before the Special Court for TNPID Act, Coimbatore and the same was taken on file in C.C.No.25 of 2021. In the above final report, the petitioner was not impleaded as an accused and the petitioner's property was also not attached by the respondents. However, till date no action has been taken by the respondents on the representation made by the petitioner. Hence, the present Writ Petition has been filed by the petitioner for the above relief.

4. Though very many grounds have been raised, learned counsel for the petitioner submits that it would suffice if this Court directs the third respondent to entertain the document dated 17.09.2019 presented by the petitioner and pass appropriate orders within a time frame that may be fixed by this Court.

5. The learned Special Government Pleader appearing for the respondents submits that the document dated 17.09.2019 presented by the petitioner will be considered by the third respondent within the time frame that may be fixed by this Court.

6. In view of the aforesaid submissions, this Court without



expressing any opinion on the merits of the case, directs the third respondent to entertain the document dated 17.09.2019 for executing power of attorney presented by the petitioner, and pass appropriate orders within a period of twelve weeks from the date of receipt of a copy of this order.

7. Accordingly, this writ petition is disposed of with the aforesaid direction. No costs.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

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To

1. The Deputy Superintendent of Police,
Economic Offences Wing - II,
Erode, Erode District.
2. The Inspector of Police,
Economic Offences Wing - II,
Erode, Erode District.
3. The Sub Registrar,
Mettur, Salem District.

+1cc to the Government Pleader, S.R.No.23410

W.P.No.6883 of 2022

VBM(CO)
CT 19/04/2022