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W.P.No.26491 of 2014

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :02.12.2022

CORAM:

THE HON'BLE **MR.JUSTICE N.SATHISH KUMAR**

W.P.No.26491 of 2014
and M.P.No.1 of 2014

G.Nirmala

... Petitioner

Vs.

1.The Home (Police XIX) Department
The Additional Director General of Police
Economic Offence Wing – II, Chennai

2.The District Collector
Erode District

3.District Revenue Officer
Erode District

4.State rep. by District superintendent of police
Economic wing – II, Erode

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India praying for issuance of Writ of Mandamus, directing the 3rd respondent not to disturb the petitioner possession and enjoyment of the house schedule property only in respect of serial no.1 of the property bearing Erode registration District, Perundurai Sub Registration District



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Perundurai Taluk, Perundurai village, Old GS No.220 the Corresponding RS No.987/1, 988, 999/8, 999/9 totaling an extent of punja hectares 9.03 and named as P.S.Asiriyar Kudiyiruppu Nagar in this the house site no.2 and 3 comprising an extent of 1489 sq. ft. with a house constructed until G.O.Ms.No.473 dated 10.7.2013 ad interim order made absolute by the special Judge for the Tamilnadu protection of Interests of Depositors Act 1997.

For Petitioner : Mr.G.Murugendran

For Respondents : Mr.P.Sathish
AGP

ORDER

The Writ Petition is filed under Article 226 of Constitution of India praying for issuance of Writ of Mandamus, directing the 3rd respondent not to disturb the petitioner possession and enjoyment of the house schedule property only in respect of serial no.1 of the property bearing Erode registration District, Perundurai Sub Registration District Perundurai Taluk, Perundurai village, Old GS No.220 the Corresponding RS No.987/1, 988, 999/8, 999/9 totaling an extent of punja hectares 9.03 and named as P.S.Asiriyar Kudiyiruppu Nagar in this the house site no.2 and 3 comprising an extent of 1489 sq. ft. with a house constructed until G.O.Ms.No.473 dated 10.7.2013 ad interim order made absolute by the



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special Judge for the Tamilnadu protection of Interests of Depositors Act
1997.

2.The petitioner claims to be the wife of one of the Directors arrayed as an accused under Section 5 of the TANPID Act, in C.C.No.25 of 2012, pending on the file of the Special Court, Coimbatore.

3.It is the case of the petitioner that interim attachment of property has been passed, therefore, the respondents are now taking advantage of the same and trying to interfere with the possession of the property. Hence sought direction.

4.The interim attachment has been passed under Section 3 of the Act. The competent authority has to file an application as per Section 4 before the Special Court. Thereafter, the Special Court will decide the issue whether the attachment will have to be made absolute or not, thereafter, the competent authority is hereby directed to proceed as per



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law. Any dispossession in this case, the same can be done only on obtaining of orders from the Special Court.

5. With the above terms, this Writ Petition stands disposed of.

Consequently, the connected miscellaneous petition is closed. No costs.

02.12.2022

kas

Index : yes / no

Internet : yes / no

Speaking / Non speaking order

To

1. The Home (Police XIX) Department
The Additional Director General of Police
Economic Offence Wing – II, Chennai

2. The District Collector
Erode District

3. District Revenue Officer
Erode District

4. The District superintendent of police
State of Tamil Nadu
Economic wing – II, Erode



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N.SATHISH KUMAR, J.
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