



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.02.2022

CORAM

WEB COPY

THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

W.P (MD) .No.2893 of 2022

1.Madhumathi

2.R.Selvakumar

... Petitioners

Vs.

1.The District Collector,
Ramanathapuram District,
Ramanathapuram.

2.The Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.

3.The Inspector of Police,
Economic Offences Wing,
Madurai.

4.Sivaramakrishnan

... Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India for issuance of Writ of Mandamus, directing the respondents 1 to 3 to dispose of the petitioner's representation dated 25.01.2022 made for attachment of the property of the 4th respondent as well as to take necessary action against him and his henchmen in the manner known to law within a time frame as fixed by this Court, thereby affording an opportunity to the petitioners to produce documents before them.

For Petitioner : Mr.B.Prahalad Ravi

For Respondents : Mr.B.Saravanan for R1 to R3
Additional Government Pleader

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the respondents 1 to 3 to consider the petitioners' representation dated 25.01.2022, requesting the respondents 1 to 3 to attach the properties belonging to the 4th respondent, within a time frame to be fixed by this Court.



2.Heard Mr.B.Prahalad Ravi, learned counsel for the petitioners and Mr.B.Saravanan, learned Additional Government Pleader, who accepts notice on behalf of the respondents 1 to 3.

3.By consent of both parties, this writ petition is taken up for final hearing at the admission stage itself.

4.The petitioners claim that they have invested huge amount of money with the 4th respondent and it is their case that the 4th respondent has cheated them. They have given a representation on 25.01.2022, to the respondents 1 to 3, seeking for legal action against the 4th respondent for the fraud committed by them with regard to the petitioner's investment. Since the representation has not been considered till date, they have filed this writ petition.

5.On instructions, the learned Additional Government Pleader appearing for the respondents 1 to 3 submits that the enquiry in the petitioners' representation has already commenced. After recording the said statement, this Court is of the considered view that no prejudice will be caused to the respondents, if the petitioner's representation is considered on merits and in accordance with law.

6.For the foregoing reasons, this Court directs the third respondent to consider the petitioner's representation dated 25.01.2022, requesting the official respondents to attach the properties belonging to the 4th respondent for the alleged fraud committed by him in respect of the misappropriation of the petitioners' investment in the 4th respondent company and pass final orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

7.With the aforesaid directions, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

/ /2022

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.

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



To

1.The District Collector,
Ramanathapuram District,
Ramanathapuram.

2.The Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.

3.The Inspector of Police,
Economic Offences Wing,
Madurai.

+1 CC to M/s.B.PRAHALAD RAVI, Advocate (SR-6302[F] dated 15/02/2022)

+1 CC to M/s.SPL GP (SR-6532[F] dated 16/02/2022)

**W.P (MD) .No.2893 of 2022
14.02.2022**

AP(26.02.2022) 3P 6C