



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.02.2022

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THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P(MD) .No.5368 of 2021

E.Esakiammal

...Petitioner

Vs.

- 1.The District Revenue Officer,
(TNPID Act)
Madurai Revenue District,
Collectorate, Madurai - 20.
2. The Inspector of Police,
Economic Offences Wing-II,
Madurai - 14.
3. VJL Diaries LLP,
Represented by its Director,
Murugan,
100-North Perumal Maistry Street,
Madurai - 625501.
4. Murugan,
Director.
5. Maheshwai
Director, Madurai
6. Sudha Maheshwari,
General Manager, Madurai
7. Senthil Murugan

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 1st respondent to take action against the properties of the respondents 3 to 7 and attach the same under Sections 3 and 4 of Tamil Nadu Protection of Interest of Depositors (In Financial Establishment) Act 1997, in respect of case in Crime No. 10 of 2016, on the file of 2nd respondent by considering petitioner's representation dated 07.01.2021, within the time frame fixed by this Court.

For Petitioner : Mr.A.Sivasubramanian

For R1 and R2 : Mr.R.M.Anbunithi
Additional Public Prosecutor



ORDER

The Writ Petition has been filed in the nature of Mandamus, seeking a direction to the the first respondent to take action against the properties of the respondents 3 to 7 and attach the same under Sections 3 and 4 of Tamil Nadu Protection of Interest of Depositors (In Financial Establishment) Act 1997, in respect of case in Crime No. 10 of 2016, on the file of second respondent based on the petitioner's representation dated 07.01.2021.

2.When the matter was taken up for hearing, the learned Additional Public Prosecutor appearing for the respondents 1 and 2 stated that based on the complaint lodged by the petitioner, the second respondent registered a case as against the respondents 3 to 7 herein, in Crime No.10 of 2016 for the offences under Sections 406, 420, 120 B of IPC and Section 51 of Tamil Nadu Protection of Interest of Depositors(In Financial Establishment) Act, 1997. After completion of investigation, the second respondent filed the final report and the same has been taken cognizance in C.C.No.14 of 2019, on the file of the Special Court of TNPID Act, Madurai and it is pending for trial.

3.However, the first respondent did not attach the property belongs to the respondents 3 to 7 herein. Therefore, the petitioner submitted a detailed representation to the first respondent to attach the property belongs to the respondents 3 to 7 so that the petitioner and other depositors can realise the matured deposited amount. The said representation is pending on the file of the first respondent.

4.Considering the above, the first respondent is directed to consider the representation submitted by the petitioner and take appropriate action on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of the order.

5.With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

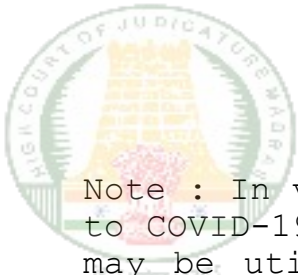
Assistant Registrar (AE)

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Sub Assistant Registrar(CS)

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To

- 1.The District Revenue Officer,
(TNPID Act)
Madurai Revenue District,
Collectorate, Madurai - 20.
2. The Inspector of Police,
Economic Offences Wing-II,
Madurai - 14.

ORDER MADE IN

W.P (MD) .No.5368 of 2021

22.02.2022

KVL/12.03.2022/3P/3C