



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.06.2022

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.8542 of 2022
and
W.M.P. (MD)No.6281 of 2022

S.John Alexander

... Petitioner

Vs.

1.The District Collector,
Kanyakumari District,
Nagercoil.

2.The District Revenue Officer,
Kanyakumari District,
Nagercoil.

3.The Hon'ble Court Committee,
Liquidation and Settlement of Assets of
Nirmal Nithi Ltd. and Chit Funds,
Mathampalai, Palugal Post,
Kanyakumari District.

... Respondents

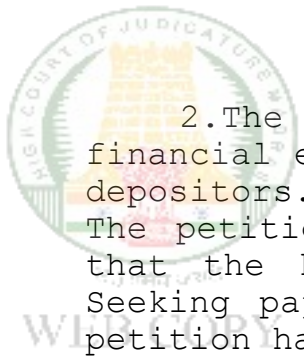
Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order passed by the 2nd respondent in Roc.No.C4/ 371 34/2017, dated 13.09.2019 and quash the same and consequently, direct the 2nd respondent to sanction balance amount of Rs.1,29,500/-.

For Petitioner : Mr.T.Selvakumaran

For Respondents : Mr.G.Sivaraja,
Government Advocate for R1 & R2.

ORDER

Heard the learned counsel for writ petitioner and the learned Government Advocate for the respondents 1 and 2. Considering the nature of relief to be granted in this writ petition, issuance of notice to the third respondent is dispense with.



2.The subject matter concerns liquidation of the assets of a financial establishment that had defaulted in paying the dues to the depositors. By orders of this Court, a committee was constituted. The petitioner was a member of the committee. His grievance is that the honorarium payable to him has not been paid in full. Seeking payment of the balance amount of Rs.1,29,500/-, this writ petition has been filed.

3.I am of the view that filing of the writ petition is not appropriate. However, the petitioner's grievances cannot be brushed aside. Therefore, the petitioner is permitted to file an I.A. before the jurisdictional Special Court. The jurisdictional Special Court shall verify the materials placed by the petitioner and if the allegation made by him regarding shortfall in payment of honorarium is true, the I.A. filed by the petitioner shall be allowed. The petitioner undertakes to file I.A. within a period of three weeks from the date of receipt of a copy of this order. The jurisdictional Special Court is directed to dispose of the said I.A. within a period of four weeks thereafter.

4.With this liberty to the petitioner and direction to the jurisdictional Special Court, this writ petition is disposed of. Consequently, connected miscellaneous petition is closed. No costs.

Sd/-

Assistant Registrar (crl side)

// True Copy //

/ /2022

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 Judge, Special Court for TNPID Act Cases,
Madurai.

2.The District Collector,
Kanyakumari District,
Nagercoil.



3.The District Revenue Officer,
Kanyakumari District,
Nagercoil.

+1 CC to M/s.T.SELVAKUMARAN, Advocate (SR-24823[F] dated 09/06/2022)

+1 CC to M/s.SPL.GP (SR-25085[F] dated 10/06/2022)

W.P (MD) No.8542 of 2022
08.06.2022

SS(17/06/2022) 3P 6C