



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Special Original Jurisdiction)

Thursday, the First day of September Two Thousand and Twenty Two
PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

WMP(MD) No.19877 of 2019 & 14893 of 2022

IN

WP(MD) No.1697 of 2018 & 14743 of 2017

WEB COPY

MANAPURAM FINANCE LTD.,
KARUPPAYURANI BRANCH,
MADURAI.
REP.BY ITS MANAGER-LEGAL.

... PETITIONER/PETITIONER
IN WMP(MD) .19877/2019
IN WP(MD) .1697/2018

THE BRANCH MANAGER,
MUTHOOT FINANCE LTD.,
KARUPPAYURANI BRANCH,
SIGAGANGAI ROAD,
MADURAI DISTRICT.

... PETITIONER/PETITIONER
IN WMP(MD) .14893/2022
IN WP(MD) .14743/2017

Vs

1 THE COMMISSIONER OF POLICE,
MADURAI CITY.

2 THE INSPECTOR OF POLICE
CENTRAL CRIME BRANCH,
MADURAI CITY.

3 SUBBURAJ

4 VANITHAMANI

... RESPONDENTS/RESPONDENTS
IN BOTH PETITIONS

Prayer in WMP(MD) .19877/2019 :

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to extent the time for depositing the amount of Rs.5,00,000/- as per the common order of this Honourable Court in WP(MD).No.1697/2018 dated 30-09-2019.

Prayer in WP(MD) .1697/2018 :

To issue Writ of Certiorarified Mandamus, to call for the records of the impugned order of the 2nd respondent dated 19.07.2017 pertaining to freezing the jewels pledged as mentioned therein and to quash the same as illegal and direct the 2nd respondent to permit the petitioner to disburse the jewels to the original owners on



verification of ownership of the jewels by formulating appropriate committee within stipulated as this Honble Court deem fit and necessary to the facts of the case.

Prayer in WMP(MD) . 14893/ 2022 :

To grant an order of extension of time granted in W.P.(MD). No. 14743 of 2017 for further period of 15 days from the date of receipt of copy of the order.

Prayer in WP(MD) . 14743/ 2017 :

To issue a writ of Certiorarified Mandamus, to call for the records of the impugned order of the 2nd respondent dated 19.07.2017 pertaining to freezing the jewels pledged as mentioned therein and to quash the same as illegal and direct the 2nd respondent to permit the petitioner to disburse the jewels to the original owners on verification of ownership of the jewels by formulating appropriate committee as this Hon'ble Court deems fit and necessary to the facts of the case.

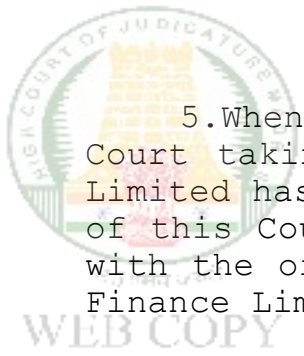
ORDER : This petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of MR.V.KATHIRVELU, Senior Counsel for M/S.S.RAMASAMY, Advocate for the petitioner in WMP(MD).19877/2019 in WP(MD).1697/2018 and MR.K.R.LAXMAN, Advocate for the petitioner in WMP(MD).14893/2022 in WP(MD).14743/2017 and of MR.R.MEENAKSHI SUNDARAM, Additional Public Prosecutor on behalf of the Respondent Nos.1 & 2 in both petitions, the court made the following order:-

These Writ Miscellaneous Petitions have been filed seeking extension of time for depositing the amount as per the common order of this Court in W.P.(MD)Nos.14743 of 2017 & 1697 of 2018 dated 30.09.2019.

2.Three finance companies by name M/s.Muthoot Finance Limited, M/s.Shriram City Union Finance Limited and M/s.Manapuram Finance Limited have filed three petitions in W.P.(MD)Nos.14743 and 16654 of 2017 & 1697 of 2018, challenging the order of the second respondent pertaining to freezing the jewels pledged and for quashing the order dated 19.07.2017.

3.This Court vide common order dated 30.09.2019 has issued certain directions, wherein, the three finance companies were directed to deposit Rs.1,00,000/-, Rs.2,00,000/- and Rs.5,00,000/- respectively before the Registrar (Administration), Madurai Bench of Madras High Court on or before 21.10.2019.

4.The learned Senior Counsel appearing for M/s.Manapuram Finance Limited would submit that they have received orders only on 15.10.2019 and that they have filed the present application for extension of time on 01.11.2019.



5. When the matter was taken up for hearing on 26.08.2022, this Court taking note of the fact that M/s. Shriram City Union Finance Limited has already deposited the amount and complied with the order of this Court and that M/s. Muthoot Finance Limited has not complied with the order of this Court, directed the officials of M/s. Muthoot Finance Limited to appear before this Court on 29.08.2022.

6. When the matter was taken up for hearing on 29.08.2022, in pursuance of the direction of this Court, the Manager of M/s. Muthoot Finance Limited appeared before this Court along with his counsel and submitted that they would file an application for extension of time, as they have not complied with the order of this Court so far.

7. Accordingly, M/s. Muthoot Finance Limited has also filed an application seeking extension of time.

8. The learned Additional Public Prosecutor appearing for the respondents 1 and 2, on instructions would submit that M/s. Shriram City Union Finance Limited has already deposited the amount in pursuance of the direction of this Court. He would further submit that the other two finance companies, who filed the present applications for extension of time, may be directed to comply with the order of this Court within a short time to be stipulated by this Court.

9. Considering the entire facts and circumstances and also the fact that M/s. Shriram City Union Finance Limited has already complied with the order of this Court, this Court is inclined to grant 10 days further time for other two finance companies to deposit the amount as directed by this Court.

10. Accordingly, the petitioners herein are directed to deposit the amount as directed by this Court on or before **12.09.2022** by way of Demand Draft (DD) to the Registrar (Administration), Madurai Bench of Madras High Court and consequently, the Chairman, Legal Services Authority, Madurai, is directed to constitute the Committees as directed by this Court in Para No.5(xiv) on or before **22.09.2022**.

11. Moreover, in the common order, it has been stated that the amount due shall be calculated broadly on the basis of the guidelines therein and the same is extracted hereunder:-

(a) The principal amount given to the aggrieved party along with total interest due as on today i.e., on 30 September 2019, at the agreed interest rate will be the actual amount due.



12. In view of the direction now given to the other two companies, the guideline may be issued as follows:-

(a) The principal amount given to the aggrieved party along with total interest due as on today i.e., 01.09.2022, at the agreed interest rate will be the actual amount due.

13. With the above directions, these Writ Miscellaneous Petitions are disposed of. No costs.

sd/-

01/09/2022

/ TRUE COPY /

02/09/2022

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE COMMISSIONER OF POLICE,
MADURAI CITY, MADURAI.
- 2 THE INSPECTOR OF POLICE
CENTRAL CRIME BRANCH,
MADURAI CITY, MADURAI.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

COPY TO

- 1 THE REGISTRAR (ADMINISTRATION),
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.
- 2 THE CHAIRMAN,
DISTRICT LEGAL SERVICES AUTHORITY,
MADURAI.

+1 CC to M/S.K.R.LAXMAN, Advocate (SR-9476[I] dated 02.09.2022)
+1 CC to M/S.S.RAMASAMY, Advocate (SR-42206[F] dated 01.09.2022)

ORDER IN

WMP(MD) No.19877 of 2019 & 14893 of 2022
IN WP(MD) No.1697 of 2018 & 14743 of 2017
Date : 01/09/2022

csm

RS/SVR/SAR.1 (02.09.2022) 4P-8C