



W.P.No.26323 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.02.2023

CORAM :

THE HONOURABLE DR.JUSTICE ANITA SUMANTH

W.P.No.26323 of 2015
and W.M.P.No.28188 of 2018, M.P.Nos. 1 and 2 of 2015

Subramanian

.. Petitioner

VS

- 1.The Secretary to
The Government of Tamil Nadu
Home (Courts II A) Department,
Fort St.George, Chennai – 9.
- 2.The Competent Authority and
District Revenue Officer, Tiruppur.
- 3.P.K.Shanmugasundaram
- 4.V.Parvathi
- 5.The Registrar
The Special Court,
Under the TANPID Act 1997 Cases,
Coimbatore.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a writ of certiorari calling for the records on the file of the 1st respondent in G.O.558 dated 14.06.2001 in so far as item 5 of Schedule II is concerned and quash the same as illegal, incompetent and without jurisdiction.



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For Petitioner : Mr.V.Lakshminarayanan
For Respondents : Mr.B.Vijay
Additional Government Pleader
for R1, R2 & R5
No appearance for R3, R4

ORDER

This writ petition is not maintainable for various reasons.

2. The impugned G.O. being G.O.(Ms.)No. 558 of 2001 is dated 14.06.2001 whereas this writ petition has been filed only in 2015, particularly on 19.08.2015. This writ petition may well be dismissed on the ground of laches.

3. That apart, the proceedings in regard to M/s.Ohm Sakthi Financiers are stated to be pending before the Special Court constituted under the provisions of the Tamil Nadu Protection of Interest of Depositors (in Financial Establishments) Act, 1997 (in short, 'TANPID Act') in O.A.No.4 of 2010. Thus, the petitioner has to claim any relief only before the Special Court.

4. Thirdly, the petitioner is well aware of the aforesaid position as he has himself, approached the TANPID Court by way of



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an application in the aforesaid OA seeking lifting of attachment of the same property being is subject matter of this writ petition, being at Plot No. 23 ad-measuring 2838 sq ft in S.F.361/1 TPN Garden, Muthannapalayam Village, Tiruppur Taluk, Coimbatore District.

5. The above application came to be dismissed on 09.07.2012, as against which the petitioner could well have filed a civil miscellaneous appeal in terms of Section 11 of the TANPID Act, which remedy he has not chosen to avail.

6. For the aforesaid reasons, this writ petition is dismissed. The petitioner may well pursue his interests before the TANPID Court. No costs. Consequently, connected miscellaneous petitions are closed.

07.02.2023

Index:Yes/No
Neutral Citation:Yes
ssm

To

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2.The Competent Authority and
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DR. ANITA SUMANTH,J.

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