



W.P.No.30309 of 2012

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.03.2023

CORAM :

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

Writ Petition No.30309 of 2012

and

M.P.Nos.1 & 2 of 2012

R.Gopal

...Petitioner

-Vs-

1. Government Of Tamilnadu,
Rep. by Secretary To Government,
Home (Police XIX) Department,
Fort St.George, Chennai 9.
2. The Competent Authority,
and District Revenue Officer, Salem.
3. The Inspector General of Police,
Economic Offences Wing II,
Chennai 40.
4. The Deputy Superintendent of Police,
Economic Offences Wing II, Salem.
5. G.Punniyamoorthy
6. D.Baskar
7. M.Akbar Ali
8. R.Arunachalam



W.P.No.30309 of 2012

9. D.Patchiyappan

10. M.Suseeladevi

11. K.Karuppanna Gounder (Died)

12. R.Sivakumar

13. P.Jayaraman

14. R.Mathiyalagan

15. P.Maragatham Meenashi

16. R.Rangasamy

17. P.Duraisamy (Died)

18. A.Saroja

19. A.Marudhachalam

20. K.Saroja

21. G.Thavamani

22. J.Lingeswari

23. K.Karunнанிதி

24. R.Chandra

25. V.Kalliammal

26. D.Nallammal

27. M.Mohammed Haniffa

28. R.Ramasamy Gounder



W.P.No.30309 of 2012

WEB COPY

29. P.Kanakaraj

30. M.Vijayamuthuraman

31. K.Kuppai Ammal (Died)

32. J.Parthiban

...Respondents

(R5 to R32-Impleaded as per Court order dated 22/11/2012 by NPVJ in MP. 3/12 in WP. 30309/2012)

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the 2nd respondent the Competent Authority to proceed against the other partners and borrowers of the Mettur Kaveri Finance, Annai Kaveri Finance and Sri. Kaveri Finance in terms of the TNPID Act 44 of 1997.

For Petitioner : Mr.Vasudevan

For Respondents :

(for R1 to R4) : Mr.Mr.S.Ravichandran, AGP

(for R5 to R7,

R10, R14, R15,

R19, R26, R30) : Mr.S.Doraisamy

(for R9 & R29) : Mr.M.N.Bala Krishnan

(for R8, R12, R16,

R18, R20, R21,

R23, R24, R25,

R27 & R29) : No Appearance

(for R13, R19, R22,

R30 & R32) : Not ready in Notice

(for R11, R17,

R28 & R31) : Died, steps due.



WEB COPY



W.P.No.30309 of 2012

ORDER

The relief sought for in the present writ petition is direct the second respondent to proceed against the other partners and borrowers of the Mettur Kaveri Finance, Annai Kaveri Finance and Sri. Kaveri Finance in terms of the TNPID Act 44 of 1997.

2.The learned counsel appearing on behalf of the respondent brought to the notice of this Court that a criminal case was registered against all the partners of the said finance company. And all the partners were convicted by the Trial Court and on appeal before the High Court, they were acquitted. The case was remanded back to the Trial Court for fresh adjudication. The case is pending as of now against all the partners.

3.This being the factum, the relief sought is not entertainable on account of the efflux of time, and more so, all the partners were impleaded in the cases which are pending now before the TNPID Court, Special Court for TNPID, Coimbatore in OA. No. 02 of 2021



WEB COPY



W.P.No.30309 of 2012

4.Thus, the petitioner is at liberty to defend his case in the manner known to law. Accordingly, the writ petition stands **dismissed**. No costs. Consequently, connected miscellaneous petitions are closed.

08.03.2023

Index:Yes
Speaking order
Neutral Citation:Yes
sha

To

1. Government Of Tamilnadu,
Rep. by Secretary To Government,
Home (Police XIX) Department,
Fort St.George, Chennai 9.
2. The Competent Authority,
and District Revenue Officer, Salem.
3. The Inspector General of Police,
Economic Offences Wing II,
Chennai 40.
4. The Deputy Superintendent of Police,
Economic Offences Wing II, Salem.



WEB COPY



W.P.No.30309 of 2012

S.M.SUBRAMANIAM, J.

sha

Writ Petition No.30309 of 2012

08.03.2023