



W.P.No.8400 of 2012

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.07.2023

CORAM

**THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM**

W.P.No.8400 of 2012

Rajesh M. Vasa

... Petitioner

**Vs.**

1. State of Tamilnadu,  
Rep. By Its Secretary To Government,  
Home (Courts-Iia) Department,  
Fort St.George, Chennai 9.

2. The Competent Authority  
And Special Commissioner  
And Commissioner Of Land Administration,  
Chepauk, Chennai-5

3. The Collector,  
City Of Chennai,  
Rajaji Salai, Chennai-1.

4. The Tahsildar,  
Purasawakkam Perambur Taluk Office,  
Chennai 12.

5. The Inspector Of Police,  
Economic Offences Wing,  
Anna Nagar, Chennai 40.

... Respondents



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**Prayer:-** Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Certiorarified Mandamus, calling for the records of the 1st respondent in issuance of the Government Order in G.O.Ms. No.1415, Home (Courts.IIA) Department, dated 12.10.1998 and quash the same in so far as it relates to the property bearing No. 3A, Tenereif Terrace, 173/13, EVR High Road, Kilpauk, Chennai-10 and forbear the respondents from interfering with the rights of the petitioner in so far as the property in 3A, Tenereif Terrace, 173/13, EVR High Road, Kilpauk, Chennai-10 is concerned.

For Petitioner : Mr.V.Anil Kumar

For Respondents :  
(for R1 to R5) : Mr.C.Jaya Prakash, Govt. Advocate

### **ORDER**

The order of attachment issued in G.O.Ms.No.1415, Home (Courts.IIA) Department, dated 12.10.1998 is sought to be quashed in the present writ petition.

2. The learned Government Advocate appearing on behalf of the respondents brought to the notice of this Court that the criminal case has already been registered in the year 2012 and now it is subjudiced before the Special Court constituted under TANPID Act. The First Information Report



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was registered in Crime No.845 of 1996. Now the Criminal case is pending before the Special Court constituted under the TANPID Act.

3. The petitioner is challenging the attachment order passed under Section 3 of the TANPID Act in respect of the issues regarding attachment made under the TANPID Act.

4. That apart, the impugned attachment order was passed on 12.10.1998 in G.O.Ms.No.1415. However, the present writ petition has been filed in the year 2012. Thus, the writ petition was instituted after a lapse of 14 years on the ground of laches also the petition is liable to be rejected.

5. Even the subsequent purchasers, if aggrieved, may approach the Special Court under the provisions of the Act. The genuinenesses of the bona fide purchaser is to be adjudicated with reference to the facts and circumstances. Thus the petitioner is at liberty to approach the Special Court under the TANPID Act for the purpose of redressal of his grievances.

6. With these liberties, the writ petition stands **disposed of**.



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However, there shall be no order as to costs.

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(sha)  
Index : Yes  
Speaking Order  
Neutral Citation : Yes

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To

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**S.M.SUBRAMANIAM. J.,**

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