



W.P.No.11273 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: **25.04.2023**

CORAM:

THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

W.P.No.11273 of 2023

P.Indrani

... Petitioner

Vs.

The Competent Authority,
District Revenue Officer,
Tiruppur District, Tiurppur.

...Respondent

PRAYER: Writ Petition is filed under Article 226 of Constitution of India, pleased to issue a Writ of Mandamus, to direct the respondent herein to sell the properties by auction, distribute the sale proceeds, including the available amount, to the depositors and expeditiously decide on depositor's claim of subsequent interest between 2008 to 2023 in terms of order dated 07/02/2023 passed by the learned Special Judge under TNPID Act, Coimbatore in O.A.No.27 of 2012.

For Petitioner : Mr.Rajesh Ramanathan

For Respondent : Mr. Leonard Joseph Selvam
Government Advocate (Crl.Side)



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ORDER

The Writ Petition has been filed to direct the respondent herein to sell the properties by auction, distribute the sale proceeds, including the available amount, to the depositors and expeditiously decide on depositor's claim of subsequent interest between 2008 to 2023 in terms of order dated 07/02/2023 passed by the learned Special Judge under TNPID Act, Coimbatore in O.A.No.27 of 2012.

2. The learned counsel for the petitioner submitted that, learned Special Judge under TNPID Act, Coimbatore in O.A.No.27 of 2012, O.A.No.15 of 2023 and O.A.No.16 of 2023 passed the following order:

"In the result, an ad interim attachment order passed over the properties in Ex.P1 G.O.Ms.No.1469 Home (Police – XIX) Department, dated 17.10.2007 is made absolute and the Competent Authority/D.R.O Tiruppur is permitted to sell half share in the Item No.1 first and if the sale proceeds are not sufficient to meet out the claims of the depositors and then sell other items one by one in public auction and realize the sale proceeds under Sec.7(4) and Sec.7(6) of TNPID Act, 1997 and disburse the same to the depositors proportionately. Accordingly, O.A.No.27 of 2012 is allowed. The petitions in O.A.No.15 of 2013 and O.A.No.16 of 2013 are dismissed."

3. It is the submission of the learned counsel for the petitioner that,



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petitioner had already deposited Rs.25,30,000/- before the respondent and that the interest of Rs.13,27,700/- is to be settled to the depositors. He further submitted that, despite order passed on 07.02.2023, no effective steps have been taken to settle the depositors. Therefore, this petition is filed.

4. The learned Government Advocate (Crl. Side) submitted that, appropriate steps would be taken for disbursing the amount to the depositors, after necessary calculations.

5. In view of the submission made by the learned Government Advocate (Crl. Side) and taking into consideration the order passed by the Special Judge under TNPID Act, Coimbatore in O.A.No.27 of 2012 dated 07.02.2023, this Court directs the respondent to disburse the amount available on hand within a period of one month from the date of receipt of copy of the order. Further, interest amount from the year 2008 to 2023 has to be calculated and paid within a period of three months from the date of the receipt of copy of the order.

6. With the above direction, this Writ Petition is disposed of. No



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costs.

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Index :Yes/No

Internet:Yes/No

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To

1. District Revenue Officer,
Tiruppur District, Tiruppur.
- 2.The Public Prosecutor,
High Court of Madras.

G.CHANDRASEKHARAN, J



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