



WEB COPY



W.P.No.19606 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.07.2023

CORAM

MR.JUSTICE N.SESHASAYEE

W.P.No.19606 of 2023

1.N.Subramani

2.P.K.Veerassamy

... Petitioners

Vs.

The District Revenue Officer,
Erode District.

... Respondent

PRAYER: The writ petition filed under Article 226 of the Constitution of India, to issue a writ of Mandamus, directing the respondent to consider the petitioner's representation dated 18.05.2023 to disperse the petitioner's deposit amount with reasonable interest within a stipulated time period.

For Petitioners : Mr.J.Rajmohan

For Respondents : Mr.C.Kathiravan
Special Government Pleader

ORDER

By consent, this writ petition is taken up for final disposal at the admission stage itself.



W.P.No.19606 of 2023

2.The petition has been filed by two depositors who appeared before the TNPID Court and were identified as P.W.1 and P.W.50 in C.C.No.3 of 2016. The case has been disposed off by the learned Special Judge, TNPID Court, Coimbatore vide judgment dated 19.12.2022. In Paragraph 47 of the judgment, the District Judge recorded that the 2nd and 3rd defendants therein had settled all the claims except for a few depositors, namely P.W.1, P.W.50, P.W.64, P.W.65, P.W.66, P.W.78, P.W.83, P.W.140, P.W.154 and P.W.158, who did not come forward for compounding the offence. Accused 2 and 3 had made a total deposit of Rs.1,80,49,000/- which included a principal amount of Rs.1,50,49,000/- and the remaining balance was for interest. This is the current situation.

3.The petitioners before this Court are P.W.1 and P.W.50 in C.C.No.3 of 2016. Their grievance is that the respondent has not disbursed the amount due to them.



W.P.No.19606 of 2023

4.Today, Mr.C.Kathiravan, the learned Special Government Pleader appearing for the respondent, submitted, based on instructions, that the learned Special Judge, TNPID Court, Coimbatore, in his judgment in C.C.No.3 of 2016, directed A2 and A3 to file the necessary application to transfer Rs.1,80,49,000/- to the District Revenue Officer / respondent, but this amount has not been received by the DRO.

5.This Court now directs the Sub Court under the TNPID Act, Coimbatore to transfer the current deposit of Rs.1,80,49,000/- in C.C.No.3 of 2016 to the respondent, along with a list of depositors to whom the amounts should be disbursed by the RDO.

6.Once the amounts are transfered, the Sub Court is required to inform not only the present petitioners but also all the ten depositors who refused to compound the offence. The petitioners are required to approach the DRO once they receive intimation from the Sub Court under the TNPID Act as indicated above.



WEB COPY



W.P.No.19606 of 2023

N.SESHASAYEE, J.

Anu

7.This writ petition is accordingly disposed of with the above directions. No
Costs.

13.07.2023

(1/2)

Anu

Index : Yes / No

Neutral citation : yes/no

To

1.The District Revenue Officer,
Erode District.

2.The Special Judge, TNPID Court,
Coimbatore.

W.P.No.19606 of 2023