



CMA(MD).Nos.422 of 2017 batch cases

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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RESERVED ON : 29.03.2023

PRONOUNCED ON : 01.06.2023

CORAM

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

C.M.A(MD)Nos.422 of 2017 and 133 of 2023,
Rev.Apl.(MD).Nos. 47 of 2016 and 42 of 2013,
WP(MD).Nos. 8068 and 11191 of 2013
and CRL.OP(MD).No.10371 of 2018

and

CMP(MD).Nos.4489 & 5640 of 2017 and 1236 & 1238 of 2023,
and 2555 of 2017 and M.P(MD).Nos.1 & 2 of 2013

CMA(MD).No.422 of 2017

N.Vanjimuthu

Vs.

.....Appellant

1.Ravi & Company Bankers
No.62, Kulandaivelan Street
Dindigul

2.Muthaiyar (Died)

3.M.Ravichandran

4.Ganesh Babu

5.Ramesh Babu

6.M.Vasudevan



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7.The Competent Authority
Commissioner of Land Administration
The District Revenue Office
Dindigul

8.M/s.Soundararaja Mills (P) Ltd.,
Represented by its Registered Power of Attorney Agent
Vimalkannan
No.15/16, Manthaiamman Koil Street
Cumbum

...Respondents

PRAYER in CMA(MD).No.422 of 2017:- Civil Miscellaneous Appeal filed under Section 11 of the Tamil Nadu Protection of Interest of Depositors (in Financial Establishment) Act 1997, to set aside the order dated 25.04.2017 made in I.A.No.10 of 2017 in O.A.No.19 of 2011 on the file of the Special Court under TNPID Act cases (Financial Establishment), Madurai.

For Appellant	: Mr.A.K.Sriram Senior Counsel For Mr.V.Janakiramulu
For R1, R3 to R6	: Mr.N.L.Rajah Senior Counsel For M/s.M.Benazir Begum
R2	: Died
For R7	: Mr.N.GA.Nataraj Government Advocate
For R8	: Mr.C.Jeganathan



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COMMON JUDGMENT

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The above said appeals and the review applications arise out of a dispute between the defaulted financial establishment and the purchaser of the attached property from the said financial establishment challenging the orders passed by the Special Court under Tamil Nadu Protection of Interest of Depositors (in Financial Establishment) Act 1997.

Factual Matrix:

2.A financial institution under the name and style of M/s.Ravi & Company Bankers were running a financial institution in Anna Nagar, Dindigul who were involved in the business of collection of deposit amount for offering jewel loans and property loans with minimum interest. The said financial establishment had started a hotel under the name and style of Hotel Swagat at Dindigul in March 1992. In October 1999, complaints started pouring in from the depositors alleging default in payment of the interest amount and an F.I.R was registered in Crime No.14 of 1999 under Section 420 of I.P.C on 04.10.1999. The case was transferred to Economic Offences Wing, District Crime Branch, Dindigul and it was renumbered as Crime No.2 of 2000.



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3. According to the present appellant Vanjimuthu, the said hotel was leased out to them in the early 2000 and they were in possession of the said premises and running the hotel. Due to various complaints, the Deputy Superintendent of Police, Economic Offences Wing, Dindigul included the offences under TNPID Act and the issue was referred to the Secretary to Government, Home Department for initiating appropriate proceedings.

4. On 18.12.2000 an interim order of attachment vide G.O.No.1362 was passed under Section 3 of TNPID Act attaching the immovable property namely Hotel Swagat.

5. Pursuant to the interim order of attachment, the District Collector, Dindigul nominated the Revenue Divisional Officer, Dindigul to take possession of the property of M/s. Ravi & Bankers on 20.01.2001. These proceedings were challenged by the partners of Hotel Swagat in W.P(MD).No.5342 of 2001 and the said writ petition was disposed of on 02.07.2001 with a direction to hand over possession of the property to the original owner and they shall hold the property subject to the condition of remitting a sum of Rs.50,000/- per month until further orders. The Special Court was directed to dispose of Section 5



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application filed by the competent authority for condoning the delay in filing the petition under Section 4 of the TNPID Act within a period of six weeks from the date of receipt of a copy of the order. Pursuant to the said order, the possession was handed over to the original owner on 16.07.2001 by the Revenue Divisional Officer, Dindigul. The TNPID Court passed an order making interim attachment of the property as absolute on 18.06.2014. In the said order, the present appellant was shown as the 7th respondent.

6.The present appellant is said to have purchased the property from the defaulting financial institution on 11.08.2003 under a registered sale deed in Doc.No.1546 of 2003. On the strength of the said sale deed, the purchaser/appellant herein had filed CMA(MD).No.807 of 2014 challenging the order dated 18.06.2014 wherein the order of attachment order was made absolute. This appeal was dismissed on 15.12.2015. Challenging the same, the Review Application No.47 of 2016 has been filed and listed along with other appeals.

7.Since the defaulting financial establishment did not pay a sum of Rs.50,000/- per month as per orders of this Court dated 02.07.2001 in W.P(MD).No.5342 of 2001, the District Revenue Officer,



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has taken repossession of the property and sealed the premises on 02.09.2006. This sealing order was challenged by the present appellant/purchaser by filing a writ petition in WP(MD).No.4124 of 2016. This Court was pleased to grant an interim order on 29.02.2016 in WMP(MD).No.3694 of 2016 to the effect that the purchaser should deposit a sum of Rs.22,00,000/- before the Special Court under TNPID Act and he should continue to pay a sum of Rs.50,000/- per month pending further enquiry. Based upon the interim order of this Court, the District Revenue Officer, Dindigul had passed an order on 31.10.2006 handing over the possession to the original owner of the property.

8.The purchaser of the property had filed CMA(MD).No.805 of 2010 challenging the order of TNPID Court dated 19.05.2003 whereby the interim attachment order was made absolute. The said appeal was dismissed on 08.08.2011 and a direction was issued to the Special Court to dispose of the original application within three months. Thereafter, the purchaser has got impleaded himself in the main original application as 6th defendant by an order dated 13.12.2011 in I.A.No.15 of 2011.

9.One of the depositors had filed WP(MD).No.3989 of 2013 for a declaration that the sale deed said to have been executed by defaulting



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financial establishment in favour of the present appellant on 11.08.2003.

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This Court was pleased to hold that a declaration to the said effect is not necessary in view of Rule 7 of Tamil Nadu Protection of Interest of Depositors (in Financial Establishment) Act 1997. After observing that the sale deed dated 11.08.2003 in favour of the present appellant is null and void, had directed the competent authority to inform the District Registrar about the order of attachment in order to avoid further alienation. The said order was passed on 15.03.2013. Seeking review of the order, Review Application No.42 of 2013 has been filed and tagged along with other appeals.

10. On 22.07.2016, final orders were passed in WP(MD).No.4124 of 2016 which was filed by the purchaser challenging the sealing of the property. The said writ petition was partly allowed on condition that the purchaser should deposit Rs.25,00,000/- and continue to deposit Rs. 25,000/- per month to the credit of O.A.No.19 of 2011 on the file of the TNPID Court, Madurai. In Paragraph No.16 of the order, this Court observed that the possession of the petitioner in the interregnum is like a custodian or receiver of the property pending disposal of the original application. It was further observed that the petitioner cannot make any



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claim, right or interest over the premises in question especially when the sale deed in favour of the petitioner was declared as void. The writ Court further held that the right and title of the property cannot be gone into by this Court and it has to be decided in the pending original application before the competent authority.

11. On 29.12.2016, the Special Court passed an order acquitting all the accused persons. The defaulting financial establishment and its partners had filed I.A.No.10 of 2017 to cancel the order of attachment and to handover possession of the property to them. I.A.No.59 of 2016 was filed by the purchaser seeking to set aside the order of attachment on the ground that they are bonafide purchasers based upon the sale deed dated 11.08.2003. Both these applications to raise the order of attachment were heard independently, but orders were passed on 25.04.2017 in both the petitions. The petitions filed by the defaulting financial establishment in I.A.No.10 of 2017 was allowed. I.A.No.59 of 2016 filed by the present appellant who is the purchaser of the property was dismissed by the Special Court on the ground that the High Court had already held that the sale deed dated 11.08.2003 is null and void in W.P(MD).No.3983 of 2013. The Special Court further found that the



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purchaser is the holder of a null and void sale deed and on the said document, he cannot seek any relief for raising the order of attachment.

However, the purchaser was granted liberty to initiate civil action for validating the sale deed dated 11.08.2003. The orders passed in I.A.No. 10 of 2017 and 59 of 2016 are hereby challenged in CMA(MD).No.133 of 2023 and CMA(MD).No.422 of 2017.

Review Application Nos.42 of 2013 and 47 of 2016:

12.This Court proceeds to consider the Review Application Nos.42 of 2013 and 47 of 2016. As far as the Review Application No. 47 of 2016 is concerned, it seeks to review the order passed by this Court in CMA(MD).No.807 of 2014 on 15.12.2015. The said appeal was filed by the purchaser challenging the order of the Special Court wherein it made the interim order of attachment as absolute. Now the accused persons have been acquitted by an order of the Special Court on 29.12.2016 and the order of attachment has been raised by the Special Court in I.A.No.10 of 2017 on 25.04.2017. Therefore, nothing survives to be adjudicated in Review Application No.47 of 2016 and the same stands closed.

13.As far as Review Application No.42 of 2013 is concerned, it has been filed seeking to review the order of this Court dated 15.03.2013



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made in W.P(MD).No.3989 of 2013. The said writ petition was filed by one of the depositors for a mandamus to direct the competent authority to declare the sale deed dated 07.08.2003 registered as Doc.No.1546 of 2003 in favour of the present appellant/purchaser as null and void as per Rule 7 of Tamil Nadu Protection of Interest of Depositors (in Financial Establishment) Act 1997. In the said writ petition, in paragraph No.6 of the order, this Court was pleased to hold that in view of Rule 7, any such sale after passing of the order of ad-interim attachment is null and void and therefore, there is no need to declare any such sale as null and void. However, considering the apprehension expressed by the depositors that there is a likelihood of further alienation, this Court has directed the competent authority to inform the registrar concerned about the order of attachment and the effect of Rule 7, so that further alienations can be avoided. This order is sought to be reviewed.

14.The main contention of the learned senior counsel appearing for the review petitioner is that the order in the main writ petition was passed without notice or hearing the review petitioner. The learned senior counsel had further contended that the review petitioner is running a hotel in the property and the possession of the said property was handed



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over to him pursuant to the interim orders of the Court. Therefore, without hearing him, the Court should not have declared the sale deed as null and void, especially when he had paid a sale consideration of Rs.1,15,00,000/-. He had further contended that the writ petition for declaring a registered sale deed as null and void is not maintainable and the parties should have been relegated to the civil Court and await for the final out come of the proceedings pending before the Special Court under the TNPID Act.

15.Per contra, the learned counsel appearing for the respondents had contended that the prayer in the writ petition for declaration that the sale deed dated 11.08.2003 was not granted, but it was only observed that in view of Rule 7, the document is null and void. That apart, there was an order of interim attachment by the Government on 11.12.2000 and the order of attachment was made absolute by the Special Court on 19.05.2003. Only thereafter, the sale deed was executed on 11.08.2003. Therefore, it is clear that the appellant had purchased the property only after the interim orders of attachment were made absolute. Even dehors of the order of this Court in WP(MD).No.3989 of 2013, the sale deed is null and void, in view of the statutory rules. Therefore, no purpose would



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be served in reviewing the order of this Court dated 15.03.2013.

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16.I have considered the submissions made on either side and perused the materials available on record.

17.There is no dispute that an order of interim attachment has been passed by the Government exercising its power under Section 3 of the TNPID Act, by passing a Government order on 18.12.2000 which is published in the Government Gazettee. As per Section 4 of the said Act, the competent authority has to approach the Special Court to make the interim attachment order as absolute. Section 7 of the Rules empowers the Special Court to issue notice to the financial establishment or to any other persons whose property is attached calling upon them to show cause why the order of attachment should not be made absolute. In the present case, the order of attachment was made absolute on 18.06.2014 after hearing the purchaser. The said order was challenged by the purchaser in CMA(MD).No.807 of 2014 and it was dismissed on 15.12.2015 and the Review Application filed as against the said order in Review Application No.47 of 2016 has been closed by an order in the preceding paragraph.



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18. In view of the above said facts, it is clear that even dehors of the order of this Court dated 15.03.2013, in view of the operation of Rule 7 of Tamil Nadu Protection of Interest Depositors (in financial establishment) Rules 1997, the status of the document remains unchanged. Therefore, reviewing the order in WP(MD).No.3983 of 2013 to rehear the said writ petition will be only an empty formality. Therefore, this Court is not inclined to consider the review application on merits and the same stands dismissed.

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19. Admittedly, the defaulting financial establishment and its partners were the owners of Swagat Hotel which was running from the year 1992 onwards. The appellant claims that he was inducted in possession of the property as lessee in the beginning of year 2000. It is the further case of the appellant that a registered sale deed was executed in his favour on 11.08.2003 for a valuable consideration of Rs. 1,15,00,000/- in Doc No.1546 of 2003. It is the further case of the appellant that he had complied with the interim order of this Court dated 29.02.2016 made in WMP(MD).No.3694 of 2016 in WP(MD).No.4124 of 2016 by depositing a sum of Rs.22,00,000/- to the credit of O.A.No.19



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of 2011 and he is continuing to deposit Rs.50,000/- per month. It is the further contention of the appellant that he had complied with the final order in WP(MD).No.4124 of 2016 by depositing Rs.25,00,000/- and he is continuing to deposit Rs.25,000/- per month.

20.The learned senior counsel for the appellant had further contended that the Special Court under TNPID Act has no jurisdiction whatsoever to handover possession of the property to the defaulting financial establishment. The Court ought to have raised the attachment thereafter should have left the issue of possession to be decided by a competent civil Court. He had further contended that even assuming, without admitting that the sale deed is null and void, his possession is traceable to the early 2000 by way of lease deed. Therefore, his possession as a lessee has to be protected. He had further contended that the possession of the lessee cannot be disturbed by invoking the provisions of TNPID Act.

21.The learned senior counsel had further contended that even before any interim order of attachment was passed by the Government, the possession was with the appellant herein pursuant to a lease deed. Therefore, once attachment is raised, the status-quo ante should be



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restored. In other words, the possession of the lessee/purchaser should be restored and the possession cannot be handed over to the original owner of the property who had parted with his possession by receiving the lease amount and the sale consideration. He had further contended that pursuant to the orders of this Court, he had been regularly depositing Rs.25,000/- to the Special Court. In fact, his vendor had defaulted in payment of monthly instalments of Rs.50,000/- and it has resulted in sealing of the premises. Only the appellant had filed a writ petition and got his possession restored and thereafter, continued to pay a sum of Rs.25,000/- per month. All these facts would clearly indicate that his possession is legal and it cannot be disturbed by his vendor by invoking the provisions of TNPID Act in an indirect manner.

22.The learned senior counsel for the appellant had further contended that the possession of the appellant is not traceable to the orders of the Court, but they are traceable to the lease deed and sale deed which were executed by the original owner of the property. Only if the appellant had taken possession of the property pursuant to the orders of this Court, the Special Court would be entitled to restore possession in favour of the original owner.



23.The learned senior counsel had further contended that the Special Court under TNPID Act is not competent to decide about the legality of the possession of the property. When the appellant is admittedly in possession of the property pursuant to the lease deed and sale deed and his possession was also approved by the High Court and accepted by the revenue officials, the TNPID Court was not right in directing the revenue authorities to hand over possession to the original owner. Hence, he prayed that while confirming the order of raising of attachment, the direction issued by the Special Court to hand over possession of the property to the original owner may be set aside.

24. The learned Senior Counsel had further contended that the appellant had already filed O.S.No.276 of 2019 before the Principal District Court, Dindigul for the relief of declaration of title and permanent injunction and the issue relating to the title and possession may be left open to be decided by the competent civil Court. Till such time, the direction issued by the Special Court under TNPID Act for handing over possession in favour of the lessor/vendor may not be enforced. Hence, he prayed for allowing the appeals.



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25. Per contra, the learned senior counsel appearing for the respondents had contended that this Court while passing the final order in WP(MD).No.4124 of 2016 on 22.07.2016 in Paragraph No.16 has held that the possession of the purchaser in the interregnum period is like a custodian or receiver of the property pending disposal of the original application. The learned Single Judge had further held that the petitioner cannot make any claim, right or interest over the premises in question especially when the sale deed in favour of the petitioner was declared as null and void. The writ Court had further held that the right and title of the property cannot be gone into by this Court and it has to be decided in the pending original application before the competent authority. Citing the said observation of the writ Court in W.P(MD).No.4124 of 2016, the learned senior counsel had contended that the character of possession of the appellant is that of a receiver or a custodian of the property and his possession cannot be treated as lessee or a purchaser of the property. Therefore, the attempt made on the side of the appellant to call himself as lessee or purchaser of the property is not legally sustainable. Only the possession of a lessee or purchaser of a property could be protected in law. Any person being a custodian or a receiver in possession of the



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property, his possession is always subject to the proceedings that were pending before the Special court under TNPID Act. Once the Special Court acquitted the accused persons and raised the order of attachment, all the benefits conferred by this Court during the pendency of the criminal case, cannot continue any further. The interim arrangements were made by this Court only for the purpose of recovering the amount to be paid to the depositors.

26.The learned senior counsel for the respondents had further contended that the appellant had not deposited the monthly amount of Rs.25,000/- before the Special Court and therefore, he cannot rely upon the orders of this Court to protect his possession. He had further contended that the sale deed was executed only on the basis of an undertaking given by the appellant that he will clear all the dues to the depositors. However, no amount was deposited by the appellant before the Special Court and the entire amount due to the depositors was paid only by the financial establishment. He had further relied upon a Vardhamana letter said to have been executed on the same day of sale deed to the effect that no sale consideration has paid for the said sale deed.



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27.The learned senior counsel had further contended that in Paragraph No.33 of the sale deed dated 11.08.2003, there is a specific reference about the pendency of the proceedings before the Special Court. Therefore, the sale deed is clearly null and void in view of the provisions of Rule 7 of Tamil Nadu Act 44 of 1997.

28.The learned senior counsel for the respondents had further contended that this Court by its order dated 15.03.2013 in WP(MD).No. 3898 of 2013 has already held that the sale deed dated 11.08.2003 is null and void. When the sale deed is null and void, the purchaser cannot seek to protect his possession based upon the said sale deed and therefore, the Special Court was right in directing the revenue authorities to hand over possession to the respondents.

29.The learned senior counsel had further contended that even after alleged lease deed, the respondents had challenged the order of attachment and taking over of the possession of the property in WP(MD).No.5342 of 2001. This Court by its order dated 02.07.2001 had directed the revenue officials to hand over possession to the respondents on payment of Rs.50,000/- per month. Pursuant to the said order, the revenue authorities have handed over possession only to the respondent



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on 16.07.2001. Therefore, even after the alleged lease deed, the possession was handed over by the revenue officials only to the original owner and not to the appellant who claims to be a lessee of the property from early 2000. Therefore, his possession is traceable only to the interim order in WMP(MD).No.3694 of 2016 in WP(MD).No.4124 of 2016 dated 29.02.2016. In the said writ petition while passing the final order on 22.07.2016, this Court was pleased to hold that the character of possession of the appellant is only that of custodian or a receiver. Therefore, the contentions of the appellant that his possession is not traceable to the Court order, but traceable to the lease and sale deed is not legally sustainable.

30.The learned senior counsel had further contended that once the revenue officials have taken possession from the original owner and sealed the premises due to the order of attachment passed by the Court, once the order of attachment is revoked, status quo ante has to be restored by handing over possession to the original owner. After ordering of attachment, if some person claims to have taken possession, he has to work out his remedy only before the competent civil Court. Therefore the order of the Special Court in directing to handover possession to the



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original owner of the property cannot be said to be illegal or bad in the eye of law. Hence, he prayed for dismissal of both the appeals.

31.I have considered the submissions made on either side and perused the materials available on record.

32.The property which is the subject matter of the present appeal has been attached by the Government under Section 3 of the TNPID Act on 18.12.2000. The said interim attachment order was made absolute on 18.06.2014 and 19.05.2003. The appellant is said to have purchased the property on 11.08.2003 under a registered sale deed in Doc.No.1546 of 2003. The sale deed refers to the pendency of criminal proceedings before the Special Court under the TNPID Act. This order of attachment by the TNPID Court was challenged by the purchaser in CMA(MD).No. 807 of 2014 and the same was dismissed on 15.12.2015. The Review Application filed against the said order in Review Application No.47 of 2016 has been dismissed in the preceding paragraph. The above said facts are not in dispute. Hence, it is clear that the sale deed dated 11.08.2003 has been executed by the original owner after the interim order of attachment was made absolute by the Special Court.



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33.After dismissal of CMA(MD).No.807 of 2014, the authorities have sealed the premises which was challenged by the appellant in WP(MD).No.4124 of 2016. In the said writ petition by way of interim order, possession was handed over to the purchaser /appellant subject to payment of certain amount. Final orders were passed in the said writ petition on 22.07.2016 permitting the purchaser to be in possession of the property subject to the payment of certain amount. In the said order, specific observations have been made by this Court that the possession of the purchaser pending criminal proceedings before the Special Court is only in the nature of custodian or a receiver and hence, he will not be entitled to claim any right or interest pursuant to the said possession. Therefore, it is clear that the possession of the appellant/purchaser is traceable only to the Court order which has characterised his possession as that of a custodian or a receiver.

34.In the light of the fact that the lease deed of early 2000 is not placed before this Court and the sale deed dated 11.08.2003 refers to the pendency of criminal proceedings before the Special Court under TNPID Act, this Court is not in a position to accept the contentions of the learned senior counsel appearing for the appellant that the present



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possession is traceable to the lease deed and the sale deed dated 11.08.2003.

35. After an interim order of attachment was passed by the Government on 18.12.2000, the revenue authorities have taken possession of the property by the proceedings dated 20.01.2001. The said order of attachment and possession and the proceedings of the District Collector were challenged only by the original owner in WP(MD).No. 5342 of 2001. In the said writ petition, the final order was passed on 22.07.2001 directing the officials to hand over possession to the original owner on condition that they should remit a sum of Rs.50,000/- per month until further orders. Pursuant to the said order, possession has been handed over to the original owner by the proceedings of District Revenue Officer dated 31.10.2006 which is after the date of sale deed dated 11.08.2003 in favour of the appellant. Therefore, it is clear that even after the sale deed in favour of the appellant, possession was handed over by the revenue officials only in favour of the original owner of the property. Since the original owner had committed default in depositing the monthly instalments, the building was resealed and only thereafter, the lessee/purchaser had approached this Court and obtained



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interim order and has taken possession of the property. Therefore, this Court is of the opinion that the possession of the appellant is traceable only to the interim orders of this Court and not through any lease deed or sale deed said to have been executed by the original owner.

36. When possession of the premises is traceable to the Court orders and this Court has characterized the said possession as that of a custodian/receiver, the lessee/ purchaser has to work out his remedy only before the competent civil Court and not through any orders by the Special Court.

37. When the revenue officials have taken possession from the original owner and the original owner had filed a writ petition to protect his possession and obtained final orders and thereafter, pursuant to the said order, possession was handed over to the original owner, the Special Court has no other go than to re-handover the possession only to the original owner. When the present appellant is making a claim over the possession of the property based upon an undated lease deed (not produced before the Court) and a registered sale deed after the order of attachment, it is for the appellant to work out his remedy in O.S.No.276 of 2017 which is pending on the file of the Principal District Court,



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Dindigul. The District Judge, Dindigul, is directed to dispose of the suit on merits and in accordance with law without being influenced by any one of the observations made by this Court and decide the title and possession of the parties.

38.In view of the above said deliberations, this Court does not find any merit to interfere in the order of the Special Court wherein the possession has been restored to the original owner of the property.

Crl.O.P(MD).No.10371 of 2018:

39.The said petition has been filed by the appellant seeking a direction as against the second respondent to initiate action on the basis of his complaint dated 14.11.2017.

40.A perusal of the complaint lodged by the appellant herein to the Superintendent of Police, Economic Offence Wing-II, Guindy, Chennai reveals that he seeks to initiate criminal action as against the partners of M/s.Ravi Bankers who are arrayed as respondents 3 to 6 in CMA. (MD).No.422 of 2017. According to the complainant, he had purchased a hotel on 11.08.2003 after paying a sale consideration of Rs.1,15,00,000/- and he is in possession of the property. According to the complainant, the partners of M/s.Ravi Bankers are attempting to illegally take possession



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from him on the basis of certain forged documents. Since the police officials have not registered a complaint, the present petition has been filed for a direction to register a case.

41.This complaint has been lodged on 14.11.2017 after the orders were passed by the Special Court under TNPID Act on 25.04.2017 directing the revenue officials to hand over possession of the hotel to M/s. Ravi Bankers and their partners. Only thereafter, this complaint was lodged on 14.11.2017 alleging that M/s.Ravi Bankers and their partners are attempting to take possession through fake documents.

42.In the preceding paragraph, this Court has confirmed the order passed by the Special Court under TNPID Act dated 25.04.2017. Therefore, this Court does not find any material to issue a direction to the police authority to initiate action as against M/s.Ravi Bankers and their partners. However, the petitioner is at liberty to work out his remedy before the competent civil Court as stated supra. Accordingly, this Criminal Original Petition stands dismissed. No costs.

43.With the above said observations, CMA(MD).Nos.422 of 2017 and 133 of 2023 are dismissed. Review Application Nos.42 of 2013 and



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47 of 2016 stand dismissed. Crl.OP(MD).No.10371 of 2018 also stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

01.06.2023

Index : Yes/No
Internet : Yes/No
NCC : Yes/No
mas

To

1. The Special Court under TNPID Act cases
(Financial Establishment), Madurai
2. The District Judge
Dindigul
3. The Competent Authority
Commissioner of Land Administration
The District Revenue Office
Dindigul
4. The Record Keeper,
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.



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R.VIJAYAKUMAR,J.

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Pre-delivery Judgement made in
C.M.A(MD)Nos.422 of 2017 and 133 of 2023,
Rev.Apl.(MD).Nos. 47 of 2016 and 42 of 2013,
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