



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.11.2024

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

C.M.A.No.936 of 2020
and C.M.P.No.5878 of 2020

1.K.A.Elumalai

2.S.Palani

... Appellants

Vs.

1.The Deputy Superintendent of Police,
Economic Offences Wing II,
Kancheepuram,
Kancheepuram District.

2.Sri Kaalikambal and Company,
Old No.12A, T.H.Road,
Ponneri, Tiruvallur District,
Represented by R6 to R9.

3.Sri Kaalikambal Finance and Investments Corporation,
Old No.81, T.H.Road,
Ponneri, Tiruvallur District,
Represented by R6 to R9.

4.S.K.Benefit Fund Limited,
Old No.154, New No.12,
T.H.Road,
Sri Kaalikambal Complex,
Ponneri, Tiruvallur District,
Represented by R6 to R9.



WEB COPY

5.Om Sakthi Enterprises,
Old No.81, T.H.Road,
Ponneri Village,
Ponneri Taluk, Tiruvallur District,
Represented by R6 to R9.

6.V.Narasimman

7.R.Jambunathan

8.R.Sedhumadhavan

9.Rani Ammal

... Respondents

Civil Miscellaneous Appeal filed under Section 11 of the Tamil Nadu Protection of Interests of Depositors (In Financial Establishments) Act, 1997, to allow the appeal setting aside the fair and decretal order dated 27.09.2019 in O.A.No.20 of 2012 on the file of the learned Special Judge under TNPID Act, Chennai-104.

For Appellants : Mr.O.Padma Prakash

For Respondents : Mr.P.Gurunathan
Additional Government Pleader
for R1
Mr.S.CHaruhasan
for M/s.P.C.Harikumar and Associates
for R7
No appearance
for R2 to R6 and R8 and R9



WEB COPY

J U D G M E N T

This Civil Miscellaneous Appeal has been filed challenging the fair and decretal order dated 27.09.2019 passed in O.A.No.20 of 2012 by the learned Special Judge under TNPID Act, Chennai.

2. The learned counsel appearing for the appellants submits that the appellants are the owners of the subject properties which were attached by the learned Special Judge under TNPID Act, Chennai, vide order dated 27.09.2019, passed in O.A.No.20 of 2012 and as against the appellants and the other Companies, a criminal case is also pending, hence, this Court may grant liberty to the appellants to work out their remedy in the manner known to law after disposal of the criminal case pending against them.

3. In view of the fair submissions made by the learned counsel appearing for the appellants, the impugned order dated 27.09.2019 passed in O.A.No.20 of 2012 by the learned Special Judge under TNPID Act, Chennai, shall be subject to the result of the criminal case pending against the appellants.



WEB COPY

4. Accordingly, this Civil Miscellaneous Appeal is disposed of.

There shall be no order as to costs. Connected miscellaneous petition is closed.

15.11.2024

Speaking Judgment/Non-speaking Judgment

Index : Yes/No

Neutral citation: Yes/No

ssb



WEB COPY



M.DHANDAPANI.,J

ssb

To,

1. The Deputy Superintendent of Police,
Economic Offences Wing II,
Kancheepuram,
Kancheepuram District.

2.The learned Special Judge under TNPID Act, Chennai-104.

C.M.A.No.936 of 2020

15.11.2024