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C.R.P.No.436 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.02.2024

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

CRP.No.436 of 2021 and
C.M.P.No.3778 of 2021

1.M/s.TVS Emu Farms
Rep. By T.V.Sivakumar @ B.Raja
Dr.No.355-1, 355-2
Dasappagoundenpudur
Sathy to Athani Main Road,
D.G.Pudur Nal Road,
Gobichettipalayam Taluk, Erode District.

2.T.V.Sivakumar @ B.Raja

P.Chandru (died)

3.Ramnath

4.S.Aravind

5.C.Nithya

6.Minor C.Vega

Minor represented by mother/guardian

C.Nithya

7.P.Revathi

... Petitioners



C.R.P.No.436 of 2021

Vs.

The Competent Authority &
District Revenue Officer,
Erode District, Erode.

...Respondent

PRAYER: Civil Revision Petition filed under Article 227 of Constitution of India, praying to set aside the order dated 05.02.2021 in I.A.No.14 of 2020 in O.A.No.19 of 2017 on the file of the Special Judge, Special Court under TNPID Act, Coimbatore.

For Petitioners
For respondent

: Mr.C.Santhosh Kumar
:Mr.V.Jeevagiridharan
Additional Government Pleader

ORDER

The Civil Revision Petition is filed challenging the order passed by the Special Court under TNPID Act, Coimbatore dismissing the application filed by the petitioners seeking to re-open the case to enable the petitioner to adduce evidence.

2. When the matter is taken up for hearing, the learned counsel for the petitioners submits that petitioners deposited the entire amount due to the depositors and the same has also been disbursed to the depositors, who had



made claim. The learned counsel by taking this Court to the order passed in CrI.O.P.No.4082 of 2021 submitted that out of 380 depositors, 371 depositors were already paid their money back and in respect of 9 remaining depositors, 5 depositors died and 4 depositors have not made any claim so far. It is also submitted that in respect of those 9 depositors also, the money due to them have been deposited with the competent authority.

3. The respondent herein filed a status report admitting the claim made by the petitioners that they had deposited the entire amount due to all the depositors. All the depositors are already paid their money back except the 9 depositors mentioned above. In respect of remaining depositors, it is stated that the amount due to them had been already deposited by the petitioners. It is further stated in status report that the amount deposited by petitioners and lying in savings bank account of the competent authority will be used to settle their claim, if any.

4. In view of the status report filed by the respondent/competent authority that the petitioners had deposited all the amount due to the



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depositors, there is no necessity for the petitioners to re-open the case and lead any further evidence. Both the petitioners and respondent shall move the Special Court for closing the proceedings initiated in Original Application. In view of the same, the Civil Revision Petition is closed with liberty to both the parties to move the Special Court for closure of Original Application.

5. The Court below is directed to pass final orders, in accordance with law, in the request made by the parties for closing Original Application within a period of eight weeks from the date of such request. No costs. Consequently, connected miscellaneous petition is closed.

20.02.2024

Index : Yes / No
Internet : Yes / No
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To

1. The learned Special Judge, Special Court under TNPID Act, Coimbatore.
2. The Competent Authority &
District Revenue Officer,
Erode District, Erode.

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S.SOUNTHAR, J.

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and

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