



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.06.2024

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

CMA No.2895 of 2023
and CMP Nos.27096 of 2023 & 7125 of 2024

S.Thangaraj

..Appellant

.VS.

1.The Competent Authority and
District Revenue Officer,
Tiruppur District,
Tiruppur.

2.Sir Kandiamman Finance,
Rep. by (R2 to R5)
K.Veerassamy,
No.1680/16, Ramanais Regency,
Ramanathapuram,
Coimbatore.

3.K.Veerassamy

4.K.Padmavathy

5.R.P.Kanagaraj

..Respondents

Prayer: Civil Miscellaneous Appeal filed under Section 11 of the Tamil Nadu Protection for Interests of Depositors (in Financial Establishments) Act, 1997, against the fair and decreetal order dated 07.02.2023 made in O.A.No.27 of 2012



on the file of the learned Special Judge, Special Court under TNPID Act,
Coimbatore.

For Appellant : Mr.N.Manoharan

For Respondents : Mr.M.K.Gokul Krishnan
Additional Government Pleader

JUDGMENT

This civil miscellaneous appeal has been filed challenging the order passed in O.A.No.27 of 2012, dated 07.02.2023.

2.Heard Mr.N.Manoharan, learned counsel appearing on behalf of the appellant and Mr.M.K.Gokul Krishnan, learned Additional Government Pleader appearing on behalf of the respondents.

3.The order passed in CMA No.3092 of 2023 dated 17.04.2024, sufficiently takes care of the issue that is involved in the present appeal.

4.In that appeal, this Court took into consideration the fact that the entire deposit amount was settled and already steps have been taken for raising the attachment of the properties. The person who had settled the entire deposit amount is the appellant in the present appeal. In view of the same, this Court had directed



the concerned persons to file an appropriate application before the Special Court under the TNPID Act, Coimbatore seeking for raising the attachment and further direction was given to the Special Court to raise the attachment.

5.The above order that has been passed in CMA No.3092 of 2023 dated 17.04.2024, will squarely apply to the present appeal also.

6.In view of the above, this civil miscellaneous appeal is disposed of in terms of Paragraph No.4 of the order passed in CMA No.3092 of 2023 dated 17.04.2024. For proper appreciation Paragraph No.4 is extracted hereunder:

4.It is clear from the above that the entire deposit amount has now been settled and already steps have been taken to raise the attachment of the properties which also includes the property belonging to the appellant. In view of the same, there shall be a direction to the claimants to file an appropriate application before the Special Court under TNPID Act, Coimbatore, seeking for raising the attachment and the same shall be allowed. This process shall be completed within a period of four (4) weeks from the date of receipt of a copy of this order. On such orders being passed by the Special Court, the competent authority shall communicate the same to Home Department and the Government Orders passed attaching the property



shall be

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N. ANAND VENKATESH., J

ssr

withdrawn by passing a fresh Government Order in that regard.

*This process shall be completed within a period of eight (8) weeks
from the date of passing of the order by the Special Court.*

Consequently, connected miscellaneous petitions are closed. No Costs.

07.06.2024

Index : Yes/No
Speaking Order/Non-Speaking Order
Neutral citation : Yes/No
ssr

To

- 1.The learned Special Judge, Special Court under TNPID Act, Coimbatore.
- 2.The Competent Authority and
District Revenue Officer,
Tiruppur District,
Tiruppur.

CMA No.2895 of 2023
and CMP Nos.27096 of 2023 & 7125 of 2024