



W.P.(MD)No.1049 of 2022

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:24.01.2024

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.1049 of 2022

Sornamani

... Petitioner

Vs.

- 1.The District Collector,
Kanyakumari District,
Nagercoil.
- 2.The Superintendent of Police,
Kanyakumari District,
Nagercoil.
- 3.The Additional Superintendent of Police,
Economic Offences Wing,
Madurai.
- 4.The Inspector of Police,
Economic Offences Wing,
Nagercoil,
Kanyakumari District.
- 5.The Inspector of Police,
Economic Offences Wing-I,
Madurai.
- 6.The Inspector of Police,
Economic Offences Wing-II,
Madurai.



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7.APSAL India Limited,
51, K.A.S.P.Tower Bye Pass Road,
Near Arisro Hospital,
Madurai,
rep.by its Managing Director,
A.Senthilvel.

8.APSAL India Private Limited,
Represented by Mr.Senthilvel,
S/o.Avudaiappan,
Managing Director

... Respondents

Prayer:Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents 1 to 6 to take appropriate action against the respondents 7 and 8 and may identify the assets of the respondents 7 and 8 Company, forfeit the same and may settled the dues of the petitioner after disposing the properties of the respondents 7 and 8 by considering the petitioner's representation dated 20.11.2020, within a time stipulated by this Court.

For Petitioner : Mr.A.Uthayakumar

For R1 to R6 : Mr.B.Nambiselvan
Additional Public Prosecutor

ORDER

This Writ Petition has been filed to direct the respondents 1 to 6 to take appropriate action against the respondents 7 and 8, by considering



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the petitioner's representation dated 20.11.2020, within a time stipulated by this Court.

2. The learned counsel appearing for the petitioner submits that the petitioner has deposited more than a sum of Rs.10,00,000/- in favour of the respondents 7 and 8 Company for the welfare of his children, on the basis of a false promise given by the respondents 7 and 8 Company that they will either return the matured amount with interest or allot the house site. However, the respondents 7 and 8 have neither returned the amount nor allotted the house site and therefore, the petitioner has made a representation on 20.11.2020 for taking action against the respondents 7 and 8, however, no action was taken. Hence, this Writ Petition has been filed.

3. The learned counsel appearing for the petitioner would submit that it would suffice, if the fifth respondent is directed to consider the representation of the petitioner, dated 20.11.2020, and pass appropriate orders on merits and in accordance with law, within a specified period.



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4. The learned Additional Public Prosecutor appearing for the respondents has no serious objection for such an order being passed by this Court.

5. Considering the limited request made by the learned counsel for the petitioner, this Court, without going into the merits of the matter, directs the fifth respondent to consider the petitioner's representation, dated 20.11.2020 and pass appropriate orders, on merits and in accordance with law, after providing opportunity to the petitioner and the concerned parties, within a period of four weeks from the date of receipt of a copy of this order.

6. Accordingly, this Writ Petition is disposed of. No costs.

24.01.2024

ssb
NCC:Yes/No
Index:Yes/No
Internet:Yes/No



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- 5.The Inspector of Police,
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- 6.The Inspector of Police,
Economic Offences Wing-II,
Madurai.
- 7.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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M.DHANDAPANI,J.

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