



W.P(MD)No.5796 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.03.2024

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.5796 of 2024

T.Pappa

... Petitioner

Vs.

1.The Principal Secretary to Government,
Department of Home (Police XIX),
Fort St.George, Chennai.

2.The Competent Authority Cum
District Revenue Officer,
Karur District, Karur.

3.The Inspector of Police,
Economic Offences Wing – II,
Erode.

4.The Sub Registrar,
Velliyanai,
Karur District, Karur.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Declaration declaring that the G.O.Ms.No. 356 issued by the 1st and 2nd respondents under the Tamilnadu Protection of Interest of Depositors (in financial establishment) Act, 1997 in respect of the petitioners land in S.F.No. 15C, 16/2 to an extent of 3108 sq.ft registered as Doc.No. 354/2000 before the 4th respondent located at Mookanakurichi Village, Karur District is illegal, unenforceable and nonest in the law as so far



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as the petitioner is concerned and consequently directing the respondents to make necessary endorsement in the records including the encumbrance certificate within stipulated time frame fixed by this Court in respect of the petitioner's land in S.F.No.354/2000 before the fourth respondent located at Mookanakurichi Village, Karur District.

For Petitioner : Mr.N.Shanmuga Selvam
For R1 & R2 : Mr.D.S.Nedunchezhiyan
Government Advocate
For R3 : Mr.Albert James
Government Advocate (Crl.side)

ORDER

Heard both sides.

2.The petitioner has filed this writ petition seeking declaratory relief. The learned counsel for the petitioner now states that this Court can mould the prayer. According to him, the attachment Government Order was issued in view of the petitioner's involvement in a case arising under TNPID Act. The specific stand of the petitioner is that all the criminal proceedings have been ended long back. As on date, there is no justification in continuing the attachment. The petitioner has given a representation in this regard on 11.12.2023 to the first respondent. The first respondent is directed to consider



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the same. If the case of the petitioner is found to be true, a Government Order shall be issued cancelling the petition mentioned Government Order. If the petitioner's case turns out to be incorrect, the impugned Government Order can very well stand. The decision on merits and in accordance with law will be taken by the first respondent within a period of five months from the date of receipt of a copy of this order.

3.This writ petition is disposed of accordingly. No costs.

12.03.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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To:

- 1.The Principal Secretary to Government,
Department of Home (Police Xix),
Fort St.George,Chennai.
- 2.The Competent Authority Cum
District Revenue Officer,
Karur District, Karur.
- 3.The Inspector of Police,
Economic Offences Wing – II,
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G.R.SWAMINATHAN, J.

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