



W.P(MD)No.18892 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 17.04.2024

CORAM :

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

W.P(MD) No.18892 of 2017

N.Mookaiah,

... Petitioner

Vs.

1.The Competent Authority and
District Revenue Officer, Nagercoil,
Kanyakumari District

2.The Deputy Superintendent of Police,
Economic Offences Wing-II, Nagercoil,
Kanyakumari District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a writ of Mandamus directing the 1st respondent to initiate the auction proceedings to complete the sale of the properties that attached by the Government of Tamil Nadu vide G.O. (Ms).No.392 Home (Police XIX) Department dated 04.06.2012 and G.O.(Ms).No.585 Home (Police XIX) Department dated 07.08.2015 within a time frame stipulated by this Court.

For Petitioner : M/s.S.Bharathi

For Respondents : Mr.A.K.Manikkam
Special Government Pleader



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ORDER

This Writ Petition is directed against the 1st respondent to initiate the auction proceedings to complete the sale of the properties that attached by the Government of Tamil Nadu vide G.O.(Ms).No.392 Home (Police XIX) Department dated 04.06.2012 and G.O.(Ms).No.585 Home (Police XIX) Department dated 07.08.2015 within a time frame stipulated by this Court.

2. When the matter is taken up for hearing, the learned Special Government Pleader would submit that the competent authority filed the petition in O.A.6 of 2013 before the Special Judge under TNPID Act cases, Madurai and got orders on 21.03.2019, to sell the properties and in pursuance of the same, the competent authority has auctioned one land on 10.01.2023 for Rs.1,31,42,484/- (Rupees One Crore Thirty One Lakhs Forty Two Thousand Four Hundred and Eighty Four only) and that the competent authority has filed another petition in O.A.No.2 of 2016 and got orders on 29.11.2016, to sell the properties and in pursuance of the same, the competent authority has auctioned 3 properties on 15.10.2020 for Rs.2,42,90,000/- (Rupees Two Crores Forty Two Lakhs



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and Ninety Thousand only) and that the competent authority has been taking necessary steps to auction the remaining properties shown in the Government Order for the interest of the depositors.

3. It is seen from the Government Order in G.O.(Ms.)No.392 of Home (Police-XIX) Department, dated 04.06.2012, that ad-interim attachment of 16 items of properties was made and in G.O.(Ms.)No.585 of Home (Police-XIX) Department, dated 07.08.2015, ad-interim attachment for 5 items of properties was made. As per the report given by the second respondent, they have sold only 4 properties and the second sale was held on 10.01.2023 and the competent authority has to take steps for the remaining 17 properties. The learned Special Government Pleader seeks 15 months time to complete the sale proceedings.

4. Considering the facts and circumstances and also the fact that the competent authority has only sold 4 properties, out of 21 properties, after getting orders from the competent Court and considering the number of remaining properties, this Court is of the view that the authority has to be directed to sell the remaining properties within a



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period of 15 months from the date of receipt of copy of this order and is directed accordingly.

5. With the above direction, this Writ Petition is disposed of.

There shall be no order as to costs.

17.04.2024

Index : Yes/No
Internet: Yes/No
LS
To

- 1.The Competent Authority and
District Revenue Officer, Nagercoil,
Kanyakumari District.
- 2.The Deputy Superintendent of Police,
Economic Offences Wing-II, Nagercoil,
Kanyakumari District.
Periyakulam Taluk, Theni District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR, J.

LS

Order made in
W.P.(MD) No.18892 of 2017

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