



W.P.No.4981 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.02.2025

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.4981 of 2023

and

W.M.P.No.4996 of 2023

Kongunaadu Emu Poultry Farms Private Limited,
Rep. by its Managing Director,
R.Sathiyaraj.

.... Petitioner

Vs

1. State rep by
The Deputy Superintendent of Police,
EOW-II, Namakkal.
Crime No.2 of 2012

2. The District Revenue Officer,
Namakkal.

.... Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Mandamus, to direct the second respondent to conduct auction sale in S.F.No.18/2B, 18/3B, 18/4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 18/14, 15, 16, 17 and S.F.No.18/19 or permit the petitioner to sale the property, situated at Pattakkaranpalayam Village, Perundurai Taluk, Erode District.

For Petitioner	: Mr.S.Sheik Ismail
For R1	: Mr.K.M.D.Muhilan Government Advocate (Crl.Side)
For R2	: Mr.P.Balathandayutham Special Government Pleader

ORDER



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This Writ Petition has been filed for a direction, directing the

second respondent to conduct auction in respect of the property comprised in S.F.No.18/2B, 18/3B, 18/4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 18/14, 15, 16, 17 and S.F.No.18/19 situated at Pattakkaranpalayam Village, Perundurai Taluk, Erode District.

2. Pursuant to the registration of the FIR in Crime No.2 of 2012 for the offence under Section 120(B), 406, 420 of the IPC and Section 5 of the TNPID Act, 1997 on the file of the first respondent, the investigation has now been completed and the final report has been filed and the same has been taken cognizance in C.C.No.27 of 2012 on the file of the Special Court for TNPID Court, Coimbatore. In the meanwhile, the properties, which were already attached, were brought to the auction. The said auction was conducted on 22.01.2022 but there was no bidder to purchase the property. Now, the second respondent is about to fix a date for further auction.

3. In the meanwhile, the victims formed an association called “Paramathivelur Circle Kongu Nadu People Welfare Association and filed a writ petition before this Court in W.P.No.20341 of 2024 seeking to consider their representation for conducting an auction over the property. This Court



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granted them an opportunity to participate in the public auction and disburse the property to the members of the association. However, so far no one has participated in the said auction and it shows that they have no interest in purchasing the property.

4. In view of the above, the second respondent is directed to proceed with the auction in accordance with law.

5. With the above direction, this Writ Petition stands disposed of. Consequently, connected miscellaneous petition is closed. No costs.

10.02.2025

Internet: Yes
Index : Yes/No
Speaking/Non Speaking order
Neutral Citation : Yes/No
Lpp

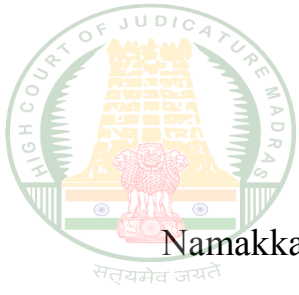
To

1. The Deputy Superintendent of Police,
EOW-II, Namakkal.

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2. The District Revenue Officer,



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3. The Public Prosecutor,
High Court, Madras.

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