



W.P.Nos.2846, 2851 & 2853 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.02.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.Nos.2846, 2851 & 2853 of 2023
and W.M.P.Nos.2965, 2972 & 2974 of 2023

Kri. Ganesaamurthy

... Petitioner in W.P.No.
2846 of 2023

K.C.Thangaraj

... Petitioner in W.P.No.
2851 of 2023

K.Padmavathi

... Petitioner in W.P.No.
2853 of 2023

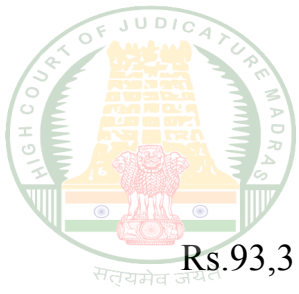
Vs.

1. The District Revenue Officer
cum Competent Authority,
District Collector Office,
Erode, Erode District.

2. The State Rep. by
The Inspector of Police,
Economic Offence wing (EOW),
Erode, Erode District.

... Respondents in all
W.Ps.

Common Prayer: Writ Petitions filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the first respondent herein to take necessary steps to pay the principal amount of Rs.41,00,000/-, Rs.25,00,000/- & Rs.36,00,000/- respectively, along with accrued interest of



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Rs.93,31,250/-, Rs.99,00,000/- & Rs.1,46,80,000/- respectively to the petitioners.

In all W.Ps.

For Petitioner : Mr.B.Singaravelu

For Respondents

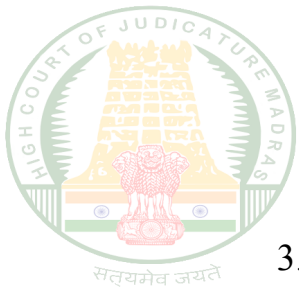
For R1 : Mr.P.Balathandayutham
Special Government Pleader

For R2 : Mr.A.Gokulakrishnan
Additional Public Prosecutor

COMMON ORDER

This writ petition has been filed for direction directing the first respondent herein to take necessary steps to pay the principal amount along with accrued interest to the petitioners.

2. The petitioners are the depositors in the Kongu Finance company and on the promise made by the accused persons, they invested huge amount. However the accused persons cheated the petitioners and other depositors for which, a FIR has been registered in Crime No.31 of 2014 on the file of the first respondent. After completion of investigation, the first respondent filed charge sheet and the same has been taken cognizance in C.C.No.3 of 2016 on the file of the TNPID Special Court, Coimbatore.



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3. On instructions, the learned Additional Public Prosecutor appearing for the respondent police submitted that the accused persons settled the principal amount to all the depositors and the criminal case as against the accused persons in C.C.No.3 of 2016 on the file of the TNPID Special Court, Coimbatore, ended in conviction and the accused persons were sentenced for one day till raising of the Court. The petitioners' principal amount is now lying with the trial Court. However, the petitioners refused to receive the same since they asked for interest and the accused persons deposited the amount without any interest. Now the principal amount of the petitioners is alone lying with the trial Court.

4. Considering the facts and circumstances, the petitioners are directed to approach the trial Court with proper application for withdrawal of their principal amount. On receipt of the same, the trial Court viz., the learned TNPID Special Judge, Coimbatore, is directed to disburse the principal amount, which is lying in the credit of C.C.No.3 of 2016.



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5. With the above directions, all the Writ Petitions stand disposed of. Consequently, connected miscellaneous petitions are closed. There shall be no order as to costs.

06.02.2025

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

rts



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To

1. The TNPID Special Judge, Coimbatore.
2. The District Revenue Officer
cum Competent Authority,
District Collector Office,
Erode, Erode District.
3. The Inspector of Police,
Economic Offence wing (EOW),
Erode, Erode District.
4. The Public Prosecutor,
Madras High Court,
Chennai.



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G.K.ILANTHIRAIYAN. J.

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