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C.R.P.No.5085 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.11.2025

CORAM

THE HONOURABLE DR.JUSTICE P.B.BALAJI

C.R.P.No.5085 of 2025

1. Tmt.R.Madana @Madhanammal

2. M.S.Ravikumar

... Petitioners

Vs.

The Competent Authority & District Revenue Officer,
Collector's Office, Vellore – 9, Vellore District.

Now located at NH-179A, Collector's Office,
Thirupathur District, Tamil Nadu – 635 601.

... Respondent

Prayer: Civil Revision Petition is filed under Article 227 of the Constitution of India, to set aside the order return dated 24.09.2025 in SR.No.376 of 2025 in Un.O.A.No. of 2025 and direct the court below to take the O.A. On the file and to raise the attachment made in order dated 19.09.2014 in O.A.No.3 of 2013 on the file before the Special Court for the Tamil Nadu Protection of Interest of Depositors in Financial Establishment's Act, 1997.

For Petitioners : Mr.R.Subramanian
for Mr.B.Ravi

For Respondent : Mr.N.Muthuvel,
Government Advocate



ORDER

Heard Mr.R.Subramanian, learned counsel for the petitioner and Mr.N.Muthuvel, learned Government Advocate appearing for the respondents.

2. The learned counsel for the petitioner, Mr.R.Subramanian, would submit that the offences complained of were tried before the learned Special Court (TNPID Court), and pending the proceedings, the offences were compounded and the same was also recorded in C.C.No.9 of 2009 by order dated 29.09.2022. It is the case of the petitioners that inspite of the offences being compounded and the entire claim of the depositors having been settled, the properties attached in pursuance of the proceedings initiated before the learned Special Court (TNPID Court) continue to be in force. In order to raise the attachment, the petitioners have moved an application before the learned Special Court (TNPID Court) in O.A.SR.No.376 of 2025. The said application has been returned with a direction to the petitioners to file certified copies of all the documents. The same has been represented, undertaking to produce the certified copies of other documents and making it clear that the final order in C.C.No.9 of 2009 is being produced by way of a certified copy. The learned counsel has also, while representing, stated that



there is urgency to raise the attachment and hence, the application may be numbered.

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3. However, without advertent to the compliance effected on 09.09.2025, the learned Special Judge has once again returned the petition citing the previous return dated 06.08.2025. In order to raise the order of attachment, what all matters is the final order passed in C.C.No.9 of 2009, and the certified copy of the said order is being produced by the petitioner. Therefore, the court need not insist on the certified copies of other documents which may not be germane to decide the application for raising the order of attachment. The final order in C.C.No.9 of 2009 dated 29.09.2022 clearly records the fact that the claims of all 52 depositors have been settled in full through ECS and therefore, the offence itself has been compounded. In the light of the above, the court below was not justified in returning the application for raising the order of attachment, taking into account the subsequent events namely, the settlement of all claims of the depositors.

4. In the light of the above, the return dated 24.09.2005 in O.A.SR.No.376 of 2025 is set aside, and the matter is remitted back to the



learned Special Court (TNPID Court), Chennai, to number the application and pass consequential orders in the application to raise attachment on merits and in accordance with law expeditiously, and not later than a period of four weeks from the date of receipt of a copy of this order.

04.11.2025

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Index : Yes / No

Speaking order / Non-speaking order

Neutral Citation : Yes / No

Note: *The original copy in O.A.SR.No.376 of 2025 shall be returned to the learned counsel for the petitioner within a period of one week to enable him to represent the same before the Special Court (TANPID Court).*

To

1. The Competent Authority & District Revenue Officer,
Collector's Office, Vellore – 9, Vellore District.
Now located at NH-179A, Collector's Office,
Thirupathur District, Tamil Nadu – 635 601.
2. Learned Special Court (TNPID Court), Chennai.



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P.B.BALAJI, J.

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