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CRP No. 6264 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15-12-2025

CORAM

THE HONOURABLE MR.JUSTICE P.B. BALAJI

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1. P.Marutha Vinayagam
S/o.M.Pirmanayagam,
No.10, 8th Cross Street, New Colony,
Chrompet, Chennai 600044.

2.R.Indumathy
D/o. M.Ramasamy,
No.10, 8th Cross Street, New Colony,
Chrompet, Chennai - 600044.

Petitioner(s)

Vs.

1. The State of Tamilnadu
Rep. by the Additional Chief Secretary to
Government, Department of Home.

2.The Competent Authority and
District Revenue Officer,
Chennai District.

3.M/s. Thayagam Chit Fund Pvt. Ltd
No. 21, Siva Shanmugam Street,
First Floor, West Mambalam,
Chennai.

4.A. Nirmal Kumar
No. 304, Shopping INN Block,
Chitra residential Complex,
Choolaimedu High Road,
Chennai 600 094.

Respondent(s)



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PRAYER: Petition filed under Article 227 of the Constitution of India, to set aside the impugned order passed by the learned Special Court under the TNPID Act, Chennai in unnumbered petition OA SR No.309/2025 dated 24.10.2025 to direct the Learned Special Court to number the petition.

For Petitioner(s): Mr.R.Vivekananthan

For Respondent(s): Mr.A.Anandan
Government Advocate for R1 & R2

ORDER

The petitioners are third parties to the proceedings pending in Crime No.2 of 2017 before the Economic Offences Wing (EOW).

2. Heard the learned counsel for the petitioners as well as the learned Government Advocate for the respondents 1 and 2.

3. The learned counsel for the petitioners state that the property of the 4th respondent was attached in Crime No.2 of 2017 in respect of an allegation of cheating the depositors of the valuable money to the tune of Rs.7,57,79,256/-. The depositors' formed an association in the name and style of "Thayagam Chit Companiyal Bhadikkapattor Nala Sangam" and also got it registered in SPG/CS/168/2022. The 3rd respondent-chit fund company filed a writ petition before this Court in W.P.No.14608 of 2021, seeking to quash the FIR in Crime No.2 of 2017, in which, an undertaking was given to repay all the depositors and settle the dues.



This Court, while disposing of the writ petition, has directed the 3rd respondent to sell the property, within a period of three months and also directs filing periodic reports to the EOW. In furtherance of the directions for the sale of the property, the 3rd respondent also caused advertisements for the sale of the property of the 3rd respondent as well as the 4th respondent. The property is in the name of the Director of the 3rd respondent, who is the 4th respondent.

4. Further, he would state that the Thayagam Chit Companiyal Bhadikkapattor Nala Sangam comprising of all depositors also expressed their no objection for the sale of the property in order to settle the claims of the depositors. In furtherance of all these, the petitioners have entered into a sale agreement with the fourth respondent on 08.03.2024. The petitioners also approached the Inspector of the Economic Offences Wing and it is claimed by the petitioners that Inspector of the EOW has informed the petitioners that there was no legal objection for the sale of the property belonging to the 4th respondent, who is the Director of the 3rd respondent-chit fund company. He would further state that the 3rd respondent has already mortgaged the subject property belonging to the 4th respondent and a sum of Rs.63,00,000/- was due to one Manjula Devi as Mortgagee. The petitioners have cleared the entire amount due over the subject property, to create a clear title for registration. The cancellation of Mortgage Deed has also been registered on 08.03.2024 and the mortgage claim in



favour of the Mortgagee, Manjula Devi has also been fully discharged. On 01.04.2025, the Sangam has also given “No Objection Certificate” to the Sub Registrar Office, Pallavaram, to enable the registration of the property in favour of the revision petitioners. The petitioners have presented the documents on 13.06.2024 for registration of the subject property, reflecting the sale consideration of Rs.2,12,00,000/- before the Sub Registrar, Pallavaram. However, the Sub Registrar has refused to register the documents, citing the attachment order in favour of the 1 and 2nd respondents. The first petitioner has moved a petition before this Court in W.P.No.16354 of 2024, challenging the refusal check slip of Sub Registrar, Pallavaram, to register the documents. In the meantime, the 3rd respondent also filed a petition in W.M.P.No.28608 of 2024 in an earlier writ petition in W.P.No.14608 of 2021, seeking extension of time to sell the property. This Court has granted an additional three months time from 03.10.2024, which was in force, till 01.01.2025. During the pendency of the petitioners’ writ petition, challenging the refusal check slip of Sub Registrar, Pallavaram, the order of attachment came to be passed on 11.11.2024, citing the claim of EOW.

5. The order of attachment has been brought to the notice of the revision petitioners, during the hearing of W.P.No.16354 of 2024, having come to know about the attachment order impeding the registration of the property in favour of the revision petitioners, the revision petitioners have filed OA(SR) No.309 of 2025 under



Section 9 of TNPID Act, to permit them to pay the depositors amount to lift the attachment order paying way for registration of the property.

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6. The learned counsel for the petitioners state that the total consideration payable to the 4th respondent is a sum of Rs.2,12,00,000/-. According to the petitioners, the balance sale consideration payable is only Rs.1,49,00,000/-. He also invites my attention to the attachment order dated 11.11.2024, where the property value has been fixed at Rs.1,70,24,000/-. However, the learned counsel for the petitioners state that they are willing to pay the entire amount of Rs.1,70,24,000/-.

7. In view of the above, the interest of the respondents 1 and 2 as well as the depositors would be fully protected and there can be no impediment to permit the petitioners to deposit a sum of Rs.1,70,24,000/- to the 2nd respondent, within a period of four (4) weeks from the date of receipt of a copy of this order. Upon such payment made by the petitioners, the 2nd respondent shall forthwith raise the order of attachment dated 11.11.2024. The petitioners are at liberty to register the sale deed in their favour or in favour of their nominees. The respondents 3 and 4 shall execute the sale deed without any further delay in the matter. The Sub Registrar concerned, on noticing the order of attachment dated 11.11.2024 being raised, shall also proceed to register the documents presented by the petitioners and the 4th respondent.



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8. With the aforesaid directions, this Civil Revision Petition is disposed of. No costs.

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Jd

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

To

1. The learned Special Court under the TNPID Act, Chennai.

2. The Additional Chief Secretary to
Government, Department of Home.

3.The Competent Authority and
District Revenue Officer,
Chennai District.



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P.B.BALAJI J.
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