



W.P(MD)No.1494 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.01.2025

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P(MD)No.1494 of 2023

Subburaj

... Petitioner

Vs

1.The District Revenue Officer/Competent Authority
(Under the TNPID ACT),
Office of the District Collectorate,
Tirunelveli,
Tirunelveli District.

2.The Inspector of Police,
Economics Offences Wing - II,
Virudhunagar District,
Virudhunagar.

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus to direct the respondents not to initiate any auction proceedings in respect of the properties comprised in Survey Nos.203/2A, 203/1 of Mettamalai Village and Survey Nos.21/2A and 310/4C1 of Viswantaham Village of Sivakasi Taluk, Virudhunagar District.

For Petitioner : Mr.A.Balaji

For Respondents : Mr.D.Gandhi Raj
Special Government Pleader



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ORDER

This Writ Petition has been filed by the petitioner for a direction directing the respondents not to initiate any auction proceedings in respect of the properties comprised in Survey Nos.203/2A, 203/1 situated at Mettamalai Village and Survey Nos.21/2A and 310/4C1 situated at Viswantaham Village, Sivakasi Taluk, Virudhunagar District.

2.Heard the learned counsel appearing on either side and perused the materials placed before this Court.

3.The property comprised in Survey Nos.203/2A, 203/1 situated at Mettamalai Village and Survey Nos.21/2A and 310/4C1 situated at Viswantaham Village, Sivakasi Taluk, Virudhunagar District were already attached in pursuant to the registration of F.I.R in Crime No.1 of 2010 which was culminated into C.C.No.8 of 2011 for the offence punishable under Section 5 of the TNPID Act r/w 406, 420 and 120(b) of I.P.C on the file of the Special Court for TNPID Act cases, Madurai. Therefore, the direction sought for in this Writ Petition that not to initiate any auction proceedings cannot be



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considered since the property was already attached and it can be brought for auction sale. If at all any grievance over the attachment, the petitioner ought to have approached the concerned Court for appropriate relief as against the attachment. Therefore, the direction sought for by the petitioner cannot be granted and the Writ Petition itself is devoid of merits and the same is liable to be dismissed. Accordingly, this Writ Petition is dismissed. There shall be no order as to costs.

28.01.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes
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To

- 1.The District Revenue Officer/Competent Authority
(under the TNPID ACT),
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Tirunelveli District.
- 2.The Inspector of Police,
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Virudhunagar District,
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G.K.ILANTHIRAIYAN, J.

ps

Order made in
W.P(MD)No.1494 of 2023

28.01.2025