



W.P.No.17493 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.06.2026

WEB COPY

CORAM:

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

W.P.No.17493 of 2023

R.Shivakumar

... Petitioner

Vs.

1. The Secretary
Rep. By its Government,
Home (Police XIX) Department,
St. George Fort,
Chennai.
2. The Director General of Police (EOW),
Economic Office Wing,
No.1, Dr. Radhakrishnan Salai,
Mylapore, Chennai.
3. The Additional Director General of Police,
Economic Offence Wing,
Police Training School, Ashok Nagar,
Chennai.
4. The Superintendent of Police,
Economic Offence Wing,
Police Training School,
Ashok Nagar, Chennai.
5. The Competent Authority,
District Revenue Officer,
Salem.



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6. The Deputy Superintendent of Police,
Economic Offence Wing (EOW-II),
Salem.

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7. Mettur Cauvery Finance,
No.9/52, Square Market,
Mettur Dam-1, Salem District.

8. Annai Cauvery Finance,
No.9/52, Square Market,
Mettur Dam-1, Salem District.

9. Sri Cauvery Finance,
No.9/52, Square Market,
Mettur Dam-1, Salem District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the fifth and sixth respondents to attach the properties belonging to the seventh to ninth accused/Mettur Cauvery Finance, Annai Cauvery Finance and Sri Cauvery Finance and other accused in the above three companies directors in connection with C.C.No.1 of 2011, C.C.No.2 of 2011 and C.C.No.3 of 2011 on the file of the Special Judge TNPID Court, Coimbatore by issuing fresh Government Order, in the light of the proceedings in D.No.1350/2022 dated 29.09.2022 by complying the Section 3 of TNPID Act, 1977 within stipulated time.

For Petitioner : Mr.M.Dinesh

For Respondents

For R1 to R6 : Mr.R.Ganesh Kumar
Counsel for Government of Tamil Nadu



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ORDER

This Writ Petition has been filed for direction directing the fifth and sixth respondents to attach the properties belonging to the seventh to ninth accused/Mettur Cauvery Finance, Annai Cauvery Finance and Sri Cauvery Finance and other accused in the above three companies directors in connection with C.C.No.1 of 2011, C.C.No.2 of 2011 and C.C.No.3 of 2011 on the file of the learned Special Judge, Special Court for TNPID Act, Coimbatore.

2. The petitioner is one of the accused in C.C.Nos.1 to 3 of 2021 on the file of the learned Special Judge, Special Court for TNPID Act, Coimbatore. After full fledged trial, all the accused were convicted by the Trial Court and thereafter they filed appeals in CrI.A.Nos.345 of 2017 etc., batch before this Court. This Court by the common judgment dated 28.07.2022, set aside the order of conviction and remanded back the matter for retrial on the pretext of settling the dues to the depositors.

3. Insofar as the petitioner is concerned, he was one of the partners of the first accused company and the properties owned by the petitioner were already attached. Those properties were under the process of auction. Though the properties belong to other accused were attached,

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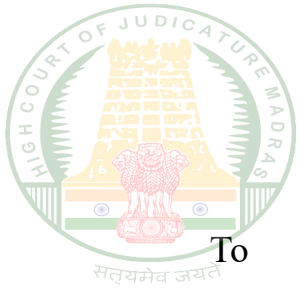
subsequently it was released on the ground that they deposited the amount. Therefore, the directions sought for in this Writ Petition cannot be considered and the Writ Petition is devoid of merits and is liable to be dismissed. However, if the petitioner deposited the amount, the attachment of the property belongs to the petitioner can be raised in accordance with law.

4. Accordingly, the Writ Petition stands dismissed. There shall be no order as to costs.

01.06.2026

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order

rts



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5. The Competent Authority,
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6. The Deputy Superintendent of Police,
Economic Offence Wing (EOW-II),
Salem.
7. The Public Prosecutor,
Madras High Court,
Chennai.



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G.K.ILANTHIRAIYAN. J,

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