



C.M.P.11167 of 2026 in
C.M.A.SR.No.191690 of 2025

A.D.JAGADISH CHANDIRA J.,

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This Civil Miscellaneous Petition has been filed seeking dispensation of the production of certified copy of the order passed in O.A.No.17 of 2018, dated 27.06.2019, by the learned Special Judge under Tamil Nadu Protection of Interest of Depositors (In Financial Establishment) Act, Chennai.

2. The learned counsel for the petitioners submitted that the third respondent is an accused in Crime No.06 of 2015 for the offences punishable under Sections 406, 420, 120B of IPC and Section 5 of the TNPID Act on the file of the Inspector of Police, EOW-II, Chennai. Prior to the registration of the case, the third respondent had mortgaged four immovable properties in favour of the petitioners for a total sum of Rs.2,05,00,000/-. Since the third respondent failed to repay the said amount, the petitioners filed C.S.No.759 of 2015 before this Court and by an order dated 14.11.2017, this Court, while decreeing the suit, ordered attachment of the said properties. While so, on the proceedings initiated by the competent authority in O.A.No.17 of 2019, the learned Special Judge under the TNPID Act, Chennai, attached the said properties and brought them for sale. Though the petitioners are registered mortgagees, they were not put on notice regarding the proceedings initiated before the Special Court under

**A.D.JAGADISH CHANDIRA J.,**

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TNPID Act, Chennai. Consequently, the petitioners were unable to implead themselves and contest O.A.No.17 of 2018. Aggrieved, the present Civil Miscellaneous Appeal has been filed. Since the petitioners are not parties to the said proceedings, they are unable to obtain a certified copy of the order passed in O.A.No.17 of 2018 dated 27.06.2019.

3. In view of the submissions made by the learned counsel for the petitioners and considering the reasons stated in the affidavit filed in support of this petition, this Court is satisfied with the explanation offered.

4. Accordingly, this Civil Miscellaneous Petition is allowed and the production of the certified copy of the order passed in O.A.No.17 of 2018, dated 27.06.2019, by the learned Special Judge under the TNPID Act, Chennai, is dispensed with.

04-06-2026

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Note: Registry is directed to number the Civil Miscellaneous Appeal, if it is, otherwise, in order and list the same for admission in due course.

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