

SECTION IIA
IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPEAL NO. 94 OF 2010

WITH
CRIMINAL MISCELLANEOUS PETITION NOS. 5857 AND 20547 OF
2015

(APPLICATIONS FOR DIRECTIONS)

IN
CRIMINAL APPEAL NO. 2058 OF 2013

WITH
CRIMINAL MISCELLANEOUS PETITION NO. 14363 OF 2015
(APPLICATION FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS)
P.S. CHELLAMUTHU & ORS. ETC. ...APPELLANTS

VERSUS

STATE TR.DSP & ANR. ...RESPONDENTS

REVISED OFFICE REPORT

The matters above-mentioned were listed before the Hon'ble Court on 30th September, 2015, when the Court was pleased to pass the following order:-

"Criminal Appeal No.94/2010

Learned counsel for respondent No.1 says that property No.1 as mentioned in the order dated 30.07.2015 was auctioned for an amount of Rs.95,10,000/-. Learned counsel appearing for the appellants says that property No.1 consists of two parts of which only one has been auctioned. Learned counsel for respondent No.1 will verify the same. If the submission is correct, then the remaining portion of property No.1 shall also be auctioned.

With regard to property No.2, it appears that the reserved price was abnormally high, therefore, there was no bidder for this property. Learned counsel for respondent No.1 says that he will take instructions in this regard and will endeavour to have property No.2 auctioned again with a revised reserved price.

With regard to property No.6, it is stated that for an amount of Rs.87,00,000/-, the property has been auctioned.

To enable a public auction to be carried out with regard to the remaining portion of property No.1 (if any) and property No.2, the matter is adjourned for eight weeks."

It is further submitted that Mr. M.A. Chinnasamy, Advocate for the appellant has on 20th November, 2015 filed an application for direction which has been registered as Criminal Miscellaneous Petition No.20547 of 2015 and same has been included in the paper books.

"Criminal Appeal No.2058/2013

No one is present on behalf of the appellants. Following the orders passed by us on 30.07.2015 in Criminal Appeal No. 94/2010, we direct respondent No.1 to auction the properties mentioned in the Schedule attached to GOMS No. 1300 Home(Courts, IIA) Department dated 03.12.2013. This GOMS is part of the additional documents filed by respondent No.1.

Public auction be conducted within a period of eight weeks."

It is further submitted that application for recalling order dated 30th September, 2015 in Criminal Appeal No.2058 of 2013 was listed before this Hon'ble Court on 16th November, 2015, when the Court was pleased to pass the following order:-

"On a deposit of Rs.25,00,000/- (Rupees twenty five lakhs only) with the competent authority within twenty-four hours from today, the auction of the Karur properties is stayed.

If the amount of Rs.25,00,000/- (Rupees twenty five lakhs only) is not deposited within twenty-four hours, the auction will proceed.

Application is disposed of."

The appeals above-mentioned are, therefore, listed before the Hon'ble Court with this Office Report.

DATED this the 30th Day of November, 2015.

ASSISTANT REGISTRAR

Copy to:

1. Mr. M.A. Chinnasamy, Advocate
2. M/s. Mahalakshmi Balaji & Co., Advocate
3. Mr. R.K. Adsure, Advocate
4. Ms. E.R. Sumathy

5. Mr. M.Y. Kanna, Advocate
C1/rc

ASSISTANT REGISTRAR