



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.06.2023

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THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P(MD)No.4693 of 2023

A.Vairan

... Petitioner

Vs.

1.The Deputy General Manager,
State Bank of India,
Administrative Office(Madurai Zone)
Madhura Complex,
No.2, Ambethkar Road,
Madurai-625 002.

2.The Branch Manager,
State Bank of India,
Thirumangalam Branch,
Madurai-625 706,
Madurai District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to return the amount of Rs.3,00,000/- illegally recovered from the savings Bank A/c No.37635044921 of the petitioner based on the petitioner's representation dated 04.02.2023 within the period stipulated by this Court.

For Petitioner : Mr.I.Suthakaran

For Respondents : Mr.P.Pethurajesh
Standing Counsel

ORDER

This writ petition has been filed in the nature of a mandamus seeking a direction that the respondents to return back the amount of Rs.3,00,000/-, which according to the petitioner was debited from the savings bank Account No.37635044921 of the petitioner. The petitioner had given a representation on 04.02.2023.



2.It is stated that a SMS message was received that a sum of Rs.3,00,000/- would be debited. Let me extract the said SMS message in entirety for clarification.

"Dear customer, hold for Rs.3,00,000.00 has been removed from account No.XXXXXX044921. If not requested, please contract your branch-SBI."

3.The statement of account has not been produced by the petitioner herein, to substantiate that on a particular date a sum of Rs.3,00,000/- has been debited from his account.

4.On the other hand, the statement of account had been produced by the respondents wherein there is no deduction at all of Rs.3,00,000/- from the account of the petitioner herein.

5.The petitioner seeks to make unlawful gain and I am not convinced with the reasons stated in the affidavit. Moreover, the relationship between the bank and customer is contractual in nature and the Writ Court cannot entertain grievances relating to the same.

6.In view of the above, the Writ Petition stands dismissed. No costs.

Sd/-

Assistant Registrar(CS III)

// True Copy //

/07/2023

Sub Assistant Registrar(CS)

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To

1.The Deputy General Manager,
State Bank of India,
Administrative Office(Madurai Zone)
Madhuram Complex,
No.2, Ambethkar Road,Madurai-625 002.

2.The Branch Manager,
State Bank of India,
Thirumangalam Branch,
Madurai-625 706,Madurai District.

+1 CC to M/s.P.PETHU RAJESH, Advocate (SR-28311[F] dated 15/06/2023)

+1 CC to M/s.I.SUTHAKARAN, Advocate (SR-28324[F] dated 15/06/2023)

W. P (MD) No. 4693 of 2023
14.06.2023