



WP (MD) No. 6921 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.10.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

WP(MD)No.6921 of 2017

M.Muthu

... Petitioner

Vs

The Chief General Manger,
Officer – in charge,
Reserve Bank of India,
16, Rajaji Salai,
Chennai -1.

... Respondent

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a writ of mandamus directing the respondent to consider the representation of the petitioner dated 02.03.2017 in terms of Section 4 of Ordinance No.10 of 2016 and to provide the value of notes for Rs.1,22,000/- in the denomination of Rs.500 and Rs.1000/- which was declared as invalid under Section 3 of the Ordinance No.10 of 2016, Specified Bank Notes (Cessation of Liabilities) Ordinance 2016.

For petitioner : Mr.C.Godwin
For Respondent : Mr.K.R.Laxman,
Nos.1 & 2 Central Govt Standing Counsel



WP (MD) No. 6921 of 2017

ORDER

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The petitioner is an Indian citizen, employed in Singapore and he was out of India from 09.11.2016 to 30.12.2016. During that period, the Government of India by Ordinance No.10 of 2016 has passed an order demonitising Rs.500/- and Rs.1000/- currencies. The petitioner has kept a sum of Rs.1,22,000/- in the locker in SBI, Karanthatanudi Branch, Thanjavur. He has submitted a representation in the month of April 2017 requesting to exchange the old currencies that during the passing of the ordinance No.10 of 2016 and filed this writ petition for a mandamus directing the respondent to consider his representation dated 02.03.2017.

2.The learned Standing Counsel appearing for the respondent RBI submits that the petitioner's representation dated 02.03.2017 was duly considered and rejected and it was also informed him through communication dated 25.08.2021. The learned Counsel further submits that the SBNs carried by NRI on arrival through Red Channel after 30.12.2016 indicating their entry and certified by Indian customs with details and value are only entitled for exchange. The specified bank notes which were kept within India, where the window for exchange of SBNs were closed on 30.12.2016 itself and therefore, the petitioner is not eligible for exchange of SBNs.



WP (MD) No. 6921 of 2017

3. Recording the above submission of the learned Standing Counsel this writ

petition is closed with liberty to work out his remedy in the manner known to law.

No cost.

03.10.2023

Internet : Yes / No

Index : Yes / No

NCC : Yes / No

dsk

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WP (MD) No. 6921 of 2017

B.PUGALENDHI, J.

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WP(MD)No.6921 of 2017

03.10.2023