

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 15.02.2016

Coram

THE HON'BLE MR.JUSTICE T.S.SIVAGNANAM

Writ Petition No.4856 of 2016

B.Nirmala

...Petitioner

Vs

The Managing Director
Chennai Central Co-operative Bank
215, Pragasam Salai
Chennai-600 108

....Respondent

Writ Petition filed under Article 226 of the Constitution of India, for issuance of Writ of mandamus directing the respondent to refund the amount of Rs.16,065/- recovered by way of surcharge from the petitioner together with appropriate interest thereon.

For Petitioner : Mr.C.S.Kiran

For Respondent : Mr.Balaramesh, standing counsel

O R D E R

The petitioner who joined the services of the respondent in the year 1987, as a clerk cum cashier has filed this writ petition seeking for issuance of a writ of mandamus, to direct the respondent to refund the amount of Rs.16,065/- recovered by way of surcharge from the petitioner together with appropriate interest.

2. When the case came up for admission on 09.02.2016, Mr.Balaramesh, learned Addl.Govt.Pleader accepted notice for the respondent and sought time to get instructions from the respondent.

3. Heard the learned counsel for the parties.

4. Identical relief was sought by two other persons who are also employees of the same bank in W.P.Nos.11780 and 11781 of 2012. The writ petition was contested by the respondent by raising technical approaches which were rejected by the court and ultimately the writ petitions were disposed of by directing the respondent bank to refund the amounts to both petitioners

along with accrued interest as the said amount recovered has already been deposited in fixed deposit. The respondent has not been able to place any materials before this court to show that the petitioner's case is in any manner different from the case of the petitioners in W.P.Nos.11780 and 11781 of 2012 dated 04.06.2012.

5. In the light of the above, the writ petition is disposed of by directing the respondent to refund the eligible amount together with accrued interest to the petitioner within a period of eight weeks from today. No costs.

-s/d-

Assistant Registrar (AS)

True Copy

Sub-Assistant Registrar

To

The Managing Director
Chennai Central Co-operative Bank
215, Pragasam Salai
Chennai-600 108

+ 1 cc to Mr.R.Balaramesh, Advocate SR 9581

+ 1 cc to Mr.C.S.Kiran, Advocate SR 9495

rsy(co)
prk25/2

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