

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 24.10.2018

CORAM

THE HONOURABLE Mr.JUSTICE K.KALYANASUNDARAM

W.P.No.5674 of 2011

and

M.P.No.1 of 2011

R.Subramaniam

..Petitioner

Vs.

The State Bank of India  
Rep.by its Branch Manager  
Sangagiri Branch  
Tiruchengode Road  
Sangagiri.

...Respondent

Prayer:- The Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus, forbearing the respondent from deducting the entire amount of Rs.25,700/- lying in S.B. Account No.11215447046 in the State Bank of India, Sangagiri Branch, Tiruchengode Road, Sangagiri of the petitioner.

For Petitioner : Mr.A.Thiagarajan

For Respondent : Mr.S.Setharaman  
Standing Counsel

ORDER

The petitioner is seeking for issuance of a Writ of Mandamus, forbearing the respondent from deducting the entire amount of Rs.25,700/- lying in S.B. Account No.11215447046.

2. According to the petitioner, the amount of Rs.27,748/- was lying in his S.B. Account. One Periyasamy, from whom the petitioner obtained loan, issued a notice on 03.07.2010 to the bank directing to deduct the entire amount from the petitioner's account, for which, the petitioner had already given a suitable reply. Despite the same, the respondent bank had taken steps to deduct the entire amount from his account. Hence, the present writ petition is filed by the writ petitioner.

3. Mr.S.Setharaman, the learned Standing Counsel appearing for the respondent would state that the respondent's bank had already deducted amount in the account of the petitioner, based on the order of the learned District Munsif, Erode, in E.P.No.11/2007. As on date no amount is lying in the account of the petitioner.

4. In the light of the above submission and also after considering the facts, I do not see any merits in the writ petition. Hence, this Writ Petition is dismissed. No costs. Consequently, connected Miscellaneous Petition is also closed.

-s/d-

Assistant Registrar(CCC)

True Copy

Sub-Assistant Registrar

dna

To

The Branch Manager,  
Sangagiri Branch,  
Tiruchengode Road,  
Sangagiri.

+1cc to Mr.S.Setharaman, Advocate Sr.73686

W.P.No.5674 of 2011  
and  
M.P.No.1 of 2011

ad[co]  
srg 30/11/2018

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