

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 17.09.2018

CORAM
THE HONOURABLE MR.JUSTICE S.S.SUNDAR

W.P.No.28630 of 2013

Sri Nandhanam Educational & Social Welfare Trust,
Rep. by its Chairman,
P.M.N.Mohan Krishnaa

... Petitioner

Versus

1. The All India Council for Technical Education,
7th Floor, Chander Lok Building,
Janpath, New Delhi - 110 001.

2. The Southern Regional Officer,
All India Council for Technical Education,
Shastri Bhawan, 26 Haddows Road,
Nungambakkam, Chennai - 600 006.

3. The Chief Manager,
Bank of India,
Anna Nagar, Chennai - 600 040.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the respondents 1 and 2 to release the two Joint Fixed Deposits in 3rd respondent Bank bearing F.D.No.802440110000011, dated 30.06.2009 and F.D.No.802440110000012, dated 30.06.2009 for total sum of Rs.35,00,000/- and to refund the Inspection Fee of Rs.80,000/- by considering the representation submitted by the petitioner dated 23.10.2009, 18.11.2009 and 10.05.2010, within a time frame to be fixed by this Court.

For Petitioner : Mr.G.Sankaran

For Respondents : M/s.AL.Ganthimathi, for RR1 & 2
Mr.Sathyanarayanan, for R3

O R D E R

This Writ Petition has been filed for issuing a direction to the respondents 1 and 2 to release the two Joint Fixed Deposits in 3rd respondent Bank, bearing F.D.No.802440110000011, dated 30.06.2009 and F.D.No.802440110000012, dated 30.06.2009 for total sum of Rs.35,00,000/- and to refund the Inspection Fee of Rs.80,000/- by considering the representations submitted by the

petitioner dated 23.10.2009, 18.11.2009 and 10.05.2010, within a time frame.

2. The learned counsel appearing for the respondents 1 and 2 submitted that the respondents 1 and 2 have no objection with regard to the release of two joint fixed deposits received from the petitioner and lying with the third respondent-Bank of India. It is further stated that the the respondents 1 and 2 have serious objection with regard to return of the Inspection Fee of Rs.80,000/- as the same was only paid towards the inspection that was already carried out by the respondents. Hence, the said amount cannot be returned to the petitioner.

3. The learned counsel for the petitioner has no serious grievance in getting back the sum of Rs.80,000/-, which was paid towards inspection fee.

4. It is seen that there is no objection with regard to the release of the two joint fixed deposits made in the third respondent-Bank for a total sum of Rs.35,00,000/- and both parties agreed that there is no issue regarding the sum of Rs.80,000/-, which was collected towards inspection fee, and that it need not be returned.

5. In view of the above submissions, this Writ Petition is disposed of with the following directions:-

- i) the third respondent-Bank is directed to release the two fixed deposits bearing F.D.No.802440110000011, dated 30.06.2009 and F.D.No.802440110000012, dated 30.06.2009 for a total sum of Rs.35,00,000/- in favour of the petitioner forthwith; and
- ii) the respondents 1 and 2 is directed to issue any authorisation or letter, if it is required by the third respondent.

No costs.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

pvs

To

1.The All India Council for Technical Education,
7th Floor, Chander Lok Building,
Janpath,
New Delhi - 110 001.

2.The Southern Regional Officer,
All India Council for Technical Education,
Shastri Bhawan, 26 Haddows Road,
Nungambakkam,
Chennai - 600 006.

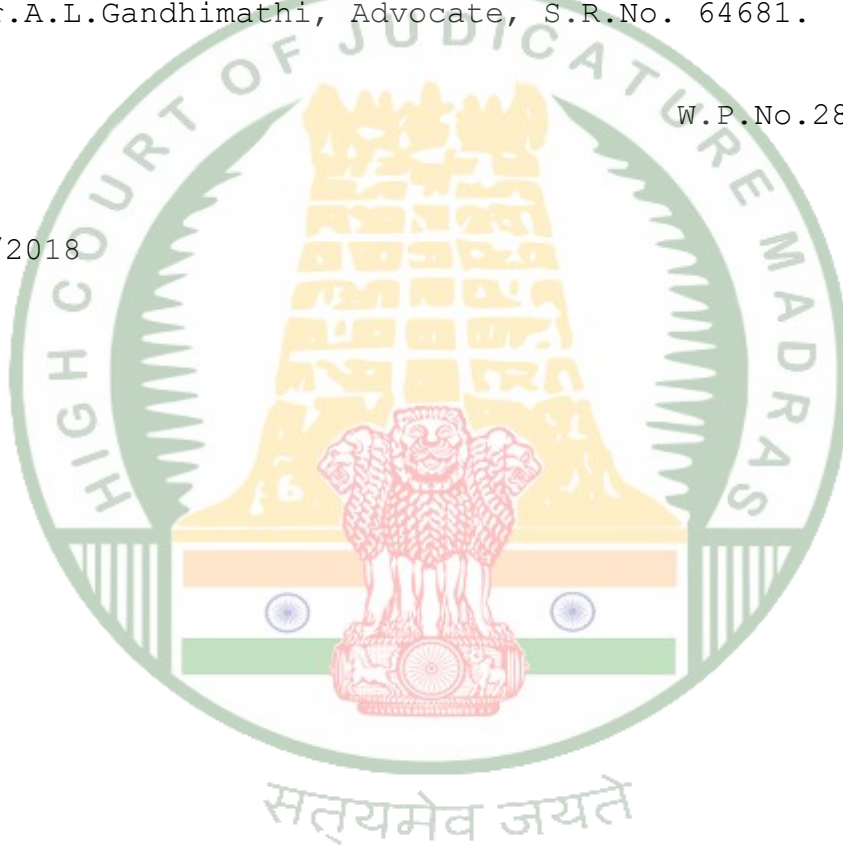
3.The Chief Manager,
Bank of India,
Anna Nagar,
Chennai - 600 040.

+2cc to Mr.S.Sathiyarayanan, Advocate, S.R.No.64854 and 62072.
+1cc to Mr.A.L.Gandhimathi, Advocate, S.R.No. 64681.

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SS(CO)

rrs 09/10/2018



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