



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.09.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE V.PARTHIBAN

W.P. (MD) No.7587 of 2018

R.Mathavan Pillai

... Petitioner

vs.

1.The Secretary to Government
Home Department
Government of Tamil Nadu
Chennai

2.The District Revenue Officer &
The Competent Authority
Kanyakumari District
Nagercoil

3.The Deputy Superintendent of Police
Economic Offences Wing II
Kanyakumari District, Nagercoil

4.The Inspector of Police
Economic Offences Wing II
Kanyakumari District, Nagercoil

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus directing the 2nd respondent / competent authority to refund an amount of Rs.4,29,055/- deposited by the petitioner in a Financial Institution namely SUS Banker, Thuckalay Branch along with 12% interest per annum, from and out of the fund maintained by the 2nd respondent in connection with SUS Bankers Financial Scam case.

For Petitioner : Mr.V.Angusamy

For Respondents: Mr.A.Muthu Karuppan

Additional Government Pleader

O R D E R



refunded.

2. According to the learned Additional Government Pleader appearing for the respondents, there are hundreds of complaints as against Private Banks and action was initiated under the relevant provisions of the Criminal Act and efforts are being taken to distribute the deposit amounts to the depositors, after selling the properties belonging to the Private Bank.

3. While so, this Court is unable to understand as to how the petitioner herein, who is also one of the depositors, can approach this Court seeking the aforementioned prayer. In case the petitioner is having any grievance of the deposit amount not being refunded, it is always open to him to approach the Authority concerned, who are dealing with the properties belonging to the private Bank, in which deposits had been made. It is certainly not open to the petitioner to invoke the extraordinary jurisdiction of this Court under Article 226 of the Constitution of India for seeking the reliefs as sought in this writ petition. Hence, this Court is of the considered view that the writ petition is not maintainable and the same is, therefore, dismissed. No costs.

Sd/-

Assistant Registrar (AS)

// True Copy //

Sub Assistant Registrar (CS-I)

To

1. The Secretary to Government,
Home Department,
Government of Tamil Nadu,
Chennai.
2. The District Revenue Officer &
The Competent Authority,
Kanyakumari District,
Nagercoil.
3. The Deputy Superintendent of Police,
Economic Offences Wing II,
Kanyakumari District, Nagercoil.



4. The Inspector of Police,
Economic Offences Wing II,
Kanyakumari District, Nagercoil.

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+ 1 CC TO SPECIAL GOVERNMENT PLEADER, IN SR NO.86227

KRK

BU/PM/SAR-I : 10.10.2018 : 3P/6C

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