

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.10.2019

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 21654 of 2019

Sri Muruga Educational Society Charitable Trust,
Represented by its Managing Trustee,
T. S. Thiyagarajan,
Sivalaya Raj Flats,
No. 112, Karaneeswarar Koil Street,
Mylapore,
Chennai - 600 004. Petitioner

Vs.

1. The State Bank of India,
Represented by its Manager,
Kodungaiyur Branch, Chennai - 118.
 2. The Reserve Bank of India,
Represented by its Governor,
No.6, Sansad Marg,
New Delhi - 110 001. Respondents
- (R2 is impleaded as per order dated 21.08.2019
made in W.M.P. No. 22920 of 2019)

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the Respondent to return/credit the illegally recovered interest amount of Rs.1,87,978/- (Rupees One Lakh Eighty Seven Thousand Nine Hundred and Seventy Eight) from SB A/C No. 32999451121 and Rs. 50,371/- (Rupees Fifty Thousand Three Hundred and Seventy One) from SB A/C No. 32355927794 of the Petitioner's Trust and its Educational Institutions.

For Petitioner : Mr. K. Doraisami, Senior Counsel
for Mr. Kandhan Duraisami

For Respondents : Mr. C. Mohan
for M/s. King & Patridge

O R D E R

Heard Mr. K. Doraisami, Learned Senior Counsel assisted by Mr. Kandhan Duraisami, Learned Counsel for the Petitioner and

Mr. C. Mohan, Learned Counsel appearing for the Respondents and perused the materials placed on record, apart from the pleadings of the parties.

2. The Writ Petition has been filed for a direction to the Respondents to return/credit the illegally recovered interest amount of Rs.1,87,978/- from Savings Banks Account No. 32999451121 and Rs. 50,371/- from Savings Bank account No. 32355927794 of the Trust and Educational Institutions of the Petitioner.

3. Mr. C. Mohan, Learned Counsel appearing for the Respondents submits that the claim of the Petitioner has been considered and the amounts have been credited towards interest in the Savings Bank Accounts of the Petitioner and nothing remains for further consideration in the matter. The First Respondent has filed an action taken report, which reads as follows:-

"1. The Writ Petition has been filed for a Writ of Mandamus directing return/credit of Rs. 1,87,978/- to SB Account No. 32999451121 and Rs. 50,371/- to SB Account No. 32355927794. The Reserve Bank of India was impleaded as the Second Respondent and they have filed Counter Affidavit along with Annexure as well. Without going into the merits and maintainability of the Writ Petition, the issue was examined and the credits as required was granted.

2. Accordingly, the First Respondent herein as on 16.10.2019 reversed the debit amount of Rs. 1,87,978/- and Rs. 50,371/- to the above mentioned accounts and has also paid interest as Savings Bank 3.5% plus compensation 2% totaling 5.5% amounting to Rs. 7,279/- & Rs. 1,950/- respectively. The statement of account recording the reversals of the above amounts in both the accounts is enclosed as Annexures I & II."

4. Recording the aforesaid action taken, the Writ Petition is disposed. No costs.

Sd/-
Assistant Registrar (Insp.Cell)

//True Copy//

Sub Assistant Registrar

gsa

To

1. The Manager,
The State Bank of India,
Kodungaiyur Branch, Chennai - 118.

2. The Governor,
The Reserve Bank of India,
No.6, Sansad Marg,
New Delhi - 110 001.

+1 cc to M/s.Muthumani Doraisami, Advocate, S.R.No.87601

+2 ccs to M/s.King and Partridge, Advocate, S.R.No.87429

W.P. No. 21654 of 2019

RSK(CO)
SSM(01/11/2019)



WEB COPY