

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 06.08.2020

CORAM

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P.No.18436 of 2013
& M.P.No.1 of 2013

Mrs.Sheeren Basha

.. Petitioner

-vs-

1. The Branch Manager,
Bank of India, Kuruchi SME Branch,
SB Towers, 262 Pollachi Main Road,
Sundarapuram,
Coimbatore.

2. State Rep. by
The Inspector of Police,
B-13, Podhanur Police Station,
Coimbatore.

3. K. Hemalatha

.. Respondents

Prayer: Petition filed under Article 227 of Constitution of India to issue a Writ of Mandamus, directing the 1st respondent to return the amount of Rs.3 lakhs transferred by the petitioner to the S.B.Account maintained by the third respondent in S.B.Account No.80110110008764 with the first respondent/the Bank of India, Kuruchi I.E.Branch, Coimbatore to the petitioner herein.

For Petitioner : Mr.R.Sunil Kumar
For R1 : Mr.F.B.Benjamin George
For R2 : Mr.V.Shanmugasundar
Special Government Pleader
For R3 : Mr.M.N.Balakrishnan

O R D E R

Seeking a Writ of Mandamus directing the first respondent to return a sum of three lakhs rupees transferred to the account of the third respondent in S.B.Account No.80110110008764 with the first respondent/The Bank of India, Kuruchi I.E.Branch, Coimbatore, the petitioner is before this Court.

2. The petitioner was taken for a ride by the third respondent in the process of obtaining a job for her son and had taken money from her and later on, it was found that a fraud has been played by the third respondent. Hence, she filed this writ petition seeking for a direction to the first respondent-Bank, in which the third respondent had an account, to pay a sum of Rs.3,00,000/- to the petitioner.

3. It appears that the writ petition was filed in the year 2013 and thereafter, it is stated that certain criminal proceedings were initiated between the parties and the petitioner was paid the amount during one such settlement.

4. The learned counsel for the third respondent also states that he has got oral instructions to state that the third respondent was acquitted from the criminal proceedings, as he had settled the amounts due to her recipients.

5. In view of the statement made by the learned counsel for the petitioner as well as the learned counsel for the third respondent that the amounts have been paid to the recipients, the prayer sought for in this writ petition has become infructuous.

6. Accordingly, the writ petition is dismissed as having become infructuous. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

gg/rsi

To

1. The Branch Manager,
Bank of India, Kuruchi SME Branch,
SB Towers, 262 Pollachi Main Road,
Sundarapuram,
Coimbatore.
2. The Inspector of Police,
B-13, Podhanur Police Station,
Coimbatore.

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RLD (CO)
RMP (01/09/2020)