



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.07.2019

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Rev.Apl.W(MD)No.57 of 2019

in

WP(MD) 3852 of 2019

P.Ponnupandi

... Petitioner

Vs.

1.The Managing Director,
REPCO Bank, "Repco Tower",
Repco Bank Ltd.,
No.33, North Usman Road,
T.Nagar, Chennai - 600 017.

2.The Chief Manager,
REPCO Bank,
Madurai South Branch,
Madurai.

... Respondents

Prayer: This Petition filed under Order 47(1)(2) Read with 114 of C.P.C to review the order of this Court passed in W.P.(MD) No.3852 of 2019, dated 25.03.2019.

Prayer in WP(MD) . 3852 of 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified Mandamus, calling for the records connected with the order in Ref. SDL No. 45 / 2018-19 / 067 / MDS dated 04.02.109 passed by the respondent No.2 and quash the same as illegal, consequently directing the respondents No.1 and 2 to permit the petitioner to withdraw fixed deposits made by his father with the second respondent in A/c Nos. 1) CC No. 4855, 2) CC No. 4864, 3) CC No.4865 and 4) CC No.4866 within the time stipulated by this Honourable Court.

For Petitioner
<https://hcservices.ecourts.gov.in/hcservices/>
For Respondents

: Mr.S.Malaikani
: Mr.Pala Ramasamy

**O R D E R**

The petitioner herein filed W.P.(MD)No.3852 of 2019 for directing the respondent Bank to withdraw the fixed deposits made by his father.

2. When the matter was taken up for hearing, the learned standing counsel appearing for the Bank submitted that the petitioner's father had availed loan and that he was having certain loan liabilities. This Court directed the Bank to pay the balance loan amount after adjusting the overall loan liability.

3. Now the Review Application has been filed by the writ petitioner.

4. The learned counsel appearing for the review petitioner submitted that the Bank had misconstrued the expression "adjust" occurring in the order dated 25.03.2019. The standing counsel appearing for the respondent Bank submitted that the loan liability of the writ petitioner's father's comes to Rs.13,08,000/-. The Bank is ready to pay the remaining sum of Rs.7,92,000/- without any delay. This submission is taken on record. It is made clear that expression "adjustment" would only mean retention and not appropriation. Whether the petitioner's father's loan liability would actually come to Rs.13,08,000/- or not is a matter to be thrashed out in independent legal proceedings. The order dated 25.03.2019 is accordingly clarified. The Review Application is disposed of.

Sd/-

Assistant Registrar (Crl Side)

// True Copy //



To

1.The Managing Director,
REPCO Bank, "Repco Tower",
Repco Bank Ltd.,
No.33, North Usman Road,
T.Nagar, Chennai - 600 017.

2.The Chief Manager,
REPCO Bank,
Madurai South Branch,
Madurai.

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