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W.M.P.No.2856 of 2022

in

W.P.No.4497 of 2021

V.BHARATHIDASAN, J.,

This miscellaneous petition has been filed to modify the petitioner's name as A.P.Duraisamy instead of A.P.Duraisamy Naidu.

2. The writ petition in W.P.No.4497 of 2021 has been filed to pay the enhanced compensation payable to the petitioner as per the judgment and decree passed in A.S.Nos.626 to 663 of 2014 dated 07.07.2015.

3. Earlier, when the Writ Petition was taken up for hearing, it was represented that the entire sum of Rs.72,00,363/- has been deposited before the Registrar General of High Court, Madras. Hence, the Registrar General was directed to issue a cheque for a sum of Rs.72,00,363/- in favour of the petitioner, namely A.P.Duraisamy Naidu. Pursuant to the same, on 16.09.2021, the cheque has also been issued by the Registrar. Since the petitioner is maintaining Bank Account only in the name of A.P.Duraisamy, the Bank refused to honor the cheque and return it. In the meantime, the validity period of the cheque was also over. Hence, the present petition has been filed to



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modify the name of the petitioner and issue a fresh cheque in the name of A.P.Duraisamy.

4. Heard both sides and perused the materials available on records carefully.

5. Considering the submission and also the facts and circumstances of the case, this Court is inclined to allow the miscellaneous petition.

6. Accordingly, this Writ Miscellaneous Petition is allowed. The Registry is directed to cancel the cheque, dated 16.09.2021 issued in the name of A.P.Duraisamy Naidu and further directed to issue a fresh cheque in the name of A.P.Duraisamy instead of A.P.Duraisamy Naidu. The learned counsel for the petitioner is directed to submit the earlier cheque before the Registry along with the copy of this order.

28.03.2022

mrp

Note : Issue order copy on 29.03.2022



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mrp

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