



WEB COPY



WMP.No.19781 of 2022

in

W.P.No.24149 of 2014

D.KRISHNAKUMAR, J.

This Miscellaneous petition has been filed to refund the amount of Rs.4,00,000/- together with interest @ 24% per annum from 08.10.2014 which was deposited in pursuance to the interim order passed in M.P.No.2 of 2014 in W.P.No.24149/2014 dated 08.09.2014.

2. This court, while entertaining W.P.No.24149 of 2014, has granted interim order directing the respondents not to launch prosecution insofar as the petitioner is concerned on condition that the petitioner deposits a sum of Rs.4,00,000/- before the third respondent i.e., Deputy Registrar of Cooperative Societies (Housing), Coimbatore. According to the petitioner, in pursuant to the said interim order, the petitioner has deposited the said amount on the file of the third respondent vide Cheque No.010543 dated 08.10.2014. It is submitted that the writ petition was dismissed on 19.09.2027, against which writ appeal filed in W.A.No.1378 of 2022, which was also dismissed as withdrawn on 29.06.2022. According to the petitioner, in the criminal case initiated, investigation was over and charge sheet has been filed and the petitioner's name has not been included in the surcharge order and since the



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writ petition came to be dismissed, he seeks permission to withdraw the said amount lying before the third respondent.

3. The learned Additional Advocate appearing for the respondents would submit that both criminal and departmental proceedings were initiated against the petitioner and in the light of dismissal of the writ petition, the respondents have no serious objection in ordering this petition.

4. In the light of the above, this miscellaneous petition is allowed and the petitioner is entitled to withdraw the amount of Rs.4,00,000/-, deposited before the third respondent, along with applicable interest, if there is no other legal impediment.

15.09.2023

Jvm

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