



WP(MD)No.15697 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **05.10.2023**

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THE HONOURABLE **MR.JUSTICE N.ANAND VENKATESH**

W.P.(MD)No.15697 of 2020

and

W.M.P.(MD)No.13980 of 2020

Mohamed Naleem

...Petitioner

**/Vs./**

The General Manager,  
Indian Overseas Bank (0833),  
Nallipattinam Branch,  
Pattukottai Taluk,  
Thanjavur District.

..Respondent

**PRAYER:-** Petition - filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent to take appropriate steps to refund the wrongly credited amount of Rs.1,00,000/- to the petitioner based on the petitioner's representation dated 29.10.2020.

For Petitioner : Mr.D.S.Haroon Rasheed

For Respondent : Mr.N.Dilipkumar

Standing Counsel

### **ORDER**

This writ petition has been filed for issuance of writ of mandamus directing the respondent bank to take steps to refund the amount of



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Rs.1,00,000/- that was wrongly credited, based on the representation made by the petitioner on 29.10.2020.

2. When the matter was taken up for hearing today, Mr.N.Dilipkumar, learned standing counsel appearing on behalf of the respondent bank submits that the amount has been credited to a person, who is holding the bank account at Indian Bank, Tihar Jail Branch. The learned counsel also produced the challan that was filled up by the petitioner.

3. On carefully going through the copy of the challan that was produced before this Court, it is seen that NEFT has been done only to the bank account, which has been mentioned in the challan. Unfortunately, due to oversight, the petitioner has mentioned a wrong bank account in the challan and amount has gone to the credit of that account at Indian Bank, Tihar Jail Branch. This mistake on the part of the petitioner cannot be reversed by the respondent bank and the respondent bank cannot initiate any steps for refund of the amount to the petitioner. The respondent bank had actually credited the amount only to the bank account that was mentioned in the challan and therefore, it cannot be considered to be wrong credit by the respondent bank.



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4. Even though this Court sympathizes with the petitioner, that cannot be a ground for granting the relief sought for in this writ petition by the petitioner.

Accordingly, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

**05.10.2023**

NCC : Yes/No  
Internet :Yes/No  
Index :Yes/No  
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TO:

The General Manager,  
Indian Overseas Bank (0833),  
Nallipattinam Branch,  
Pattukottai Taluk,  
Thanjavur District.



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**N.ANAND VENKATESH, J.**

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Order made in  
W.P.(MD)No.15697 of 2020

Dated:  
05.10.2023