



W.P.No.4625 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.09.2024

CORAM:

THE HON'BLE MR.JUSTICE **M.DHANDAPANI**

W.P.No.4625 of 2023

and

WMP.Nos.4625 of 2023 & 31400 of 2024

Rajalakshmi

...Petitioner

Vs.

1. The Banking Ombudsman,
Reserve Bank of India Building (2nd Floor),
Fort Glacis, Post Box No.40,
16, Rajaji Salai, Chennai – 600 001.

2. The Tamilnadu Mercantile Bank Limited.,
Rep. by its Branch Manager,
R.S.Puram, Coimbatore – 641 002.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus calling for the entire records of the 1st respondent leading to the order dated 03.10.2022 passed by the 1st respondent in complaint RBI/CMS/N202223002003830 and thereby quash the same and further direct the 2nd respondent herein to close the fixed deposits having Receipt No.415203, 415204, 415206, 415205, 415251 and payout the sum.



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For Petitioner : Mr.E.Sundaravadivelu
For Respondents : Mr.K.Srinivasan, Spl.PP (CBI)
: No Appearance, for R1
: Mr.G.Senthil Kumar, for R2

ORDER

When the matter was taken up for hearing, the learned counsel appearing for the 2nd respondent submitted that, this Court, vide order 10.09.2024 directed the petitioner to file a complaint before the CBI and further directed the Superintendent of Police, Anti Corporation Branch, Chennai to conduct preliminary enquiry with regard to the illegal act perpetrated against the petitioner and to file a report before this Court on or before 14.10.2024. However, pursuant to the above said order of this Court, as the entire amount has been credited to the petitioner's account, this Writ petition has been listed today at the instance of the 2nd respondent. Learned counsel further submitted that, in view of the above, there is no need for CBI enquiry and thereby, the petitioner has also filed WMP.No.31400 of 2024 seeking to recall the above said order dated 10.09.2024 and to consequently direct the CBI to close the preliminary case registered in PE 032 2024 A



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0001 on 14.09.2024, filed pursuant to the above said order of this Court.

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2. Learned counsel for the petitioner also ratifies the submission made by the learned counsel appearing for the 2nd respondent that the entire amount has been credited to the petitioner's account.

3. In view of the aforesaid submissions, this Court is of the view that, no further adjudication is necessary in this Writ petition and accordingly, this Writ Petition stands closed and the WMP.No.31400 of 2024 is ordered, by recalling the interim order dated 10.09.2024 made in W.P.No.4625 of 2023 in respect of issuing direction for CBI investigation and the CBI shall close the preliminary case registered in PE 032 2024 A 0001 on 14.09.2024 forthwith. No costs. Consequently, the other connected miscellaneous petition is also closed.

26.09.2024

skt

NCC : Yes/No

Index : Yes/No

Speaking order : Yes/No

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M.DHANDAPANI, J.

skt

To:

1. The Banking Ombudsman,
Reserve Bank of India Building (2nd Floor),
Fort Glacis, Post Box No.40,
16, Rajaji Salai, Chennai – 600 001.
2. The Branch Manager
Tamilnadu Mercantile Bank Limited.,
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