



WEB COPY



W.P.No.6254 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.04.2024

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

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M/s.Shareefa Associates,
rep. by its Sole Proprietor M.Salsala,
having its Registered Office at No.11,
Citizen Avenue, Mahaveer Nagar,
Lawspet, Puducherry.

.. Petitioner

Vs

1.The Zonal Manager,
Indian Bank, Lawspet,
Puducherry.

2.The Senior Manager,
Indian Bank,
Lawspet, Puducherry.

3.Manoharan,
Branch Manager (Retd.),
Indian Bank, Lawspet Branch,
Puducherry.

.. Respondents

Prayer : Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus to direct the respondents to repay the amount of Rs.40,00,000/- (Rupees Forty Lakhs only) which



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was misappropriated from the loan account of the petitioner "Shareefa Associates" with account No.6412841217 with interest at the rate of 13.70% till the date of repayment.

For the Petitioner : Mr.V.Ajayakumar

For the Respondents : Ms.S.R.Sumathy
for respondents 1 and 2

ORDER

(Order of the court was made by the Hon'ble Chief Justice)

Heard Mr.V.Ajayakumar, learned counsel for the petitioner and Ms.S.R.Sumathy, learned counsel for respondents 1 and 2.

2. The petitioner seeks direction against the respondents to repay an amount of Rs.40.00 lakh.

3. Learned counsel for the bank submits that the said amount has been repaid.

4. It will not be possible for us in a writ jurisdiction to settle the said dispute amongst the parties. In case the amount of Rs.40.00 lakh



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as claimed by the petitioner is not repaid to the petitioner, then the petitioner may take appropriate steps before the civil court or any other appropriate forum as may be permissible under law. In that event, all contentions of the respective parties are kept open.

5. With these observations, the writ petition stands disposed of. There shall be no order as to costs. Consequently, W.M.P.No.7374 of 2020 is closed.

(S.V.G., C.J.)

(J.S.N.P., J.)

22.04.2024

Index : Yes/No
Neutral Citation : Yes/No
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To

1.The Zonal Manager,
Indian Bank, Lawspet,
Puducherry.

2.The Senior Manager,
Indian Bank,
Lawspet, Puducherry.



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THE HON'BLE CHIEF JUSTICE
AND
J.SATHYA NARAYANA PRASAD,J.

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