



W.P.No.30125 of 2023

IN THE HIGH COURT AT JUDICATURE AT MADRAS

DATED: 14.10.2024

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.30125 of 2023

The Proprietor/Director,
STNC PNEUMATICS (INDIA) PRIVATE LIMITED,
No. 39, Ayyappa Chetty Street,
Parrys, Chennai - 600 001.

...Petitioner

Vs.

1. The Authorized Signatory,
Centralized Receipt and Processing Centre (CRPC),
Reserve Bank of India,
Chennai.

2. The Branch Manager,
IDBI Bank,
Thambu Chetty Street Branch,
Chennai - 600 001.

3. The Branch Manager,
Karur Vysya Bank,
Egmore Branch,
Chennai - 600 008.

4. The Commercial Tax Officer,



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Broadway Assessment Circle,
Commercial Tax Department,
Chennai - 600 001.

5. Messr Varun Industries,
No. 36/14, Errabaluchetty Street,
Broadway,
Chennai -600 001.

...Respondents

Writ petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 4th respondent to defreeze the amount of the petitioner of Rs.10,51,995/- from M/s. Varun Industries account which has been wrongly credited by the petitioner, in the 5th respondent account through the 3rd respondent Bank, consequentially directing the 3rd respondent to refund the mistakenly credited account of Rs. 10,51,995/- to the petitioner account in Account No. 0907102000059705 in IDBI Bank, Thambu Chetty Street, Branch, Chennai, the 2nd respondent herein within the time framed fixed by this Hon'ble Court.

For Petitioner : Mr.K.Venkatraman
for Mr.S.Srinivasan

For Respondents : Mr.T.Poornam
for R1

No appearance for R2

Mr.S.L.Rajesh

for R3

Mr.V.Veluchamy,

Additional Govt. Pleader for R4



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Not Ready Notice- R5

ORDER

Writ petition is filed for a writ of mandamus, directing the 4th respondent to defreeze the amount of the petitioner of Rs.10,51,995/- from M/s. Varun Industries account which has been wrongly credited by the petitioner, in the 5th respondent account through the 3rd respondent Bank, consequential direction to the 3rd respondent to refund the mistakenly credited account of Rs. 10,51,995/- to the petitioner account bearing A/C. No. 0907102000059705 in IDBI Bank, the 2nd respondent herein within a stipulated time fixed by this Court.

2. The petitioner is running a company under the name and style of STNC Pneumatics (India) Private Limited, there was a business transaction between the petitioner and one M/s. Sri Ganesh Industries. The petitioner instead of sending the amount to Sri Ganesh Industries to the tune of Rs.10,51,995/- through RTGS mode inadvertently transferred to the 5th respondent and subsequently petitioner came to know that the 5th respondent account was



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freezed by the Commercial Tax Department, thereby the 3rd respondent was not able to recover the amount from the 5th respondent. To re-transfer the money to the petitioner's account, the present writ petition is filed.

3. Learned senior counsel appearing for the petitioner would submit that petitioner may be permitted to file appropriate application before the 4th respondent/ Commercial Tax Department to return the money to the tune of Rs.10,51,995/- from the 5th respondent account either to the petitioner's account or the M/s. Sri Ganesh Industries account.

4. In view of the submissions made by the learned counsel for the petitioner, this Court is inclined to permit the petitioner to file appropriate application before the 4th respondent/ Commercial Tax Officer to make appropriate claim within a period of two weeks from the date of receipt of a copy of this order. If such claim application is filed by the petitioner, the 4th respondent is directed to conduct enquiry in-between the petitioner and the 5th respondent and pass appropriate orders in the manner known to law within a period of six (6) weeks thereafter.



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5. In the earlier occasion vide order dated 16.07.2024, for not filing the counter by the remaining respondents except 3rd respondent, this Court imposed costs of Rs.5,000/- payable to Cancer Institute, Adyar, Chennai. The said order is dispensed with.

Writ petition is accordingly disposed of with the above direction. No costs.

14.10.2024

Index: Yes/No

Speaking order: Yes/No

Neutral Citation: Yes/No

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To

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M.DHANDAPANI,J.

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