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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.11.2024

CORAM

THE HON'BLE Mr. JUSTICE **C.V.KARTHIKEYAN**

W.P.No.35416 of 2024

K.S.Kumar

.. Petitioner

Vs.

1.The Deputy Registrar,
No.329, 3rd Floor,
Cooperative Societies,
District Collector Office Complex,
Nagapattinam – 611 001.

2.M/s.Nagapattinam Urban Co-operative Credit Society Ltd.,
O.N.3, Nagapattinam, Branch Manager,
Represented by its Secretary,
Nagapattinam 611 002.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 1st respondent to consider petitioner representation dated 12.9.2024 and take necessary action against the 2nd respondent to recover petitioner amount of Rs.5,50,000/-(Five lakhs fifty thousand only) with 9% interest.

For Petitioner

.. Ms.D.Nivetha

For Respondents

.. Mr.S.Ravikumar

Special Government Pleader for R1

Mr.N.R.R.Arun Natarajan

Special Government Pleader for R2

**ORDER**

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This writ petition has been filed in the nature of mandamus seeking a direction to the 2nd respondent to return back a sum of Rs.5,50,000/- back to the petitioner.

2.The writ petitioner had opened two savings account with the 2nd respondent Bank viz., Nagapattinam Urban Co-operative Credit Society Ltd., at Nagapattinam in Account No.2867 and deposited a sum of Rs.5,50,000/- as fixed deposit for 37 months with a maturity interest rate of 9%. As per the instructions of the 2nd respondent, the total amount of Rs.5,50,000/- was split into 16 separate receipts issued on various dates by the 2nd respondent. The amount had been matured. The petitioner had been seeking return of the amount but update.

3.Written instructions had been forwarded by the learned Special Government Pleader appearing for the 2nd respondent Co-operative Society that the 2nd respondent is running in loss. There has been substantial misappropriations of the amounts of the 2nd respondent. However, there is a commitment to return back the amounts to the petitioner herein. It is stated that it could be returned back in installments.

4.The following directions is therefore issued:



The 2nd respondent may return back the amount of Rs.5,50,000/- together with agreed rate of interest in installments every month of Rs.1,00,000/- commencing from January 2025. The installments should be paid on or before 10th of every successive month and the entire process must be completed on or before July 2025.

5.This writ petition stands disposed of. No Costs.

28.11.2024

Index:Yes/No
Internet:Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation:Yes/No
ssr

To

- 1.The Deputy Registrar,
No.329, 3rd Floor,
Cooperative Societies,
District Collector Office Complex,
Nagapattinam – 611 001.
- 2.M/s.Nagapattinam Urban Co-operative Credit Society Ltd.,
O.N.3, Nagapattinam, Branch Manager,
Represented by its Secretary,
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C.V.KARTHIKEYAN,J.

ssr

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