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W.P.No.36494 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.12.2024

CORAM :

THE HON'BLE MR.K.R.SHRIRAM, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.No.36494 of 2024
& W.M.P.No.39343 of 2024

1. S.Divya
2. Sadasivam

.. Petitioners

Vs.

1. The Managing Director
LIC Housing Finance Limited
No.131, Maker Tower-F Premises
13th Floor, Cuffe Parade
Mumbai 400 005.
2. LIC Housing Finance Limited
Southern Regional Office
Through Authorised Officer
Harington Chambers, No.30/1A, Block C
2nd Floor, Abdul Razack 1st Street
Saidapet, Chennai 600 015.
3. LIC Housing Finance Limited
Recovery Department, Coimbatore Back Office
Tristar Towers, 2nd Floor
657 Avinashi Road, Coimbatore 641 037
Rep. by its Assistant Manager V.Kannan.



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4. The State rep. by
Inspector of Police
Economic Offences Wing (EOW)
Coimbatore.

5. Sherlin Sheeba

6. Balu .. Respondents

Prayer : Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of Mandamus to direct the respondents 1 to 3 to refund the petitioners' hard earned money of Rs.44,00,000/- (Rupees forty four lakhs) paid by the petitioners to LIC Housing Finance Limited, Recovery Department, Coimbatore in the form of Demand Draft No.003376 dated 10.06.2024 obtained by the 3rd respondent.

For Petitioner : Mr.M.Palanivel

ORDER

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

After the petition was heard for some time, since disputed questions of facts are involved, counsel sought leave to withdraw the petition with liberty to file a suit.



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2. The writ petition is dismissed as withdrawn with liberty as prayed for. Consequently, the interim application filed to permit the petitioners to file a single writ petition is allowed, subject to payment of separate court fee within to weeks. No costs.

(K.R.SHRIRAM, CJ)

(SENTHILKUMAR RAMAMOORTHY,J.)

11.12.2024

Index : Yes/No
Neutral Citation : Yes/No

kpl

To

1. The Managing Director
LIC Housing Finance Limited
No.131, Maker Tower-F Premises
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Mumbai 400 005.

2. The Authorised Officer
LIC Housing Finance Limited
Southern Regional Office

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2nd Floor, Abdul Razack 1st Street
Saidapet, Chennai 600 015.

3. The Assistant Manager V.Kannan.
LIC Housing Finance Limited
Recovery Department, Coimbatore Back Office
Tristar Towers, 2nd Floor
657 Avinashi Road, Coimbatore 641 037.
4. The Inspector of Police
Economic Offences Wing (EOW)
Coimbatore.



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THE HON'BLE CHIEF JUSTICE
AND
SENTHILKUMAR RAMAMOORTHY,J.

(kpl)

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