



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.02.2025

CORAM:

THE HONOURABLE MR.JUSTICE J. SATHYA NARAYANA PRASAD

W.P.No.6672 of 2019
and WMP.No.7493 of 2019

G.Sharavanan

... Petitioner

vs

1.The District Collector
Collector Office
Salem – 1.

2.The Deputy Superintendent of Police
Vigilance and Anti Corruption
Salem.

3.The Deputy Registrar of Co-operative Societies
Omalur Taluk, Salem District.

4.The Secretary, S.777
Nangavalli Primary Agricultural Co-op Credit Society Ltd
Nangavalli Post, Mettur Taluk,
Salem District – 636 454.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of mandamus to direct the 4th respondent to foreclose the fixed deposits bearing numbers 0003711 and 0003078 and to pay the entire balance amount available in the savings account number 5735 in favour of the petitioner.



For Petitioner : Mr.V.Ramamurthy

For Respondents : Mr.B.Tamilnithi, AGP for R1 & R3.
Mr.R.Krishnakumar, GA for R2.

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ORDER

The case of the petitioner is that the petitioner is maintaining savings bank account in the 4th respondent /Society for more than 10 years. The 4th respondent convinced the petitioner for opening fixed deposits. On 04.08.2018, the petitioner deposited a sum of Rs.3,65,000/- with interest @ 6%p.a. for a period of one year maturity on 04.08.2019 and on 01.09.2017 deposited another sum of Rs.4,00,000/- with interest @ 7.25%p.a. for a period of one year maturity on 01.09.2018. The petitioner's SB Account is having sufficient balance of Rs.76,995 as on 04.08.2018. The petitioner submitted a letter to the 4th respondent for premature closure of the fixed deposits, but the 4th respondent refused to foreclose and return the deposited amounts. Hence, the petitioner filed the present petition.

2. The learned counsel for the petitioner submitted that he has deposited a sum of Rs.3,65,000/- on 04.08.2018 and on 01.09.2017 deposited another sum of Rs.4,00,000/-. Before maturity, the petitioner submitted a letter dated 03.09.2018 to the 4th respondent/Society to preclose the fixed deposits, in turn the 4th respondent has not preclosed the fixed

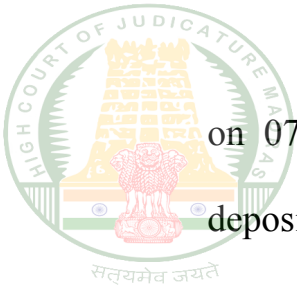


deposits nor refunded the amount to the petitioner's account. The learned counsel would further submit that the respondents has not returned a sum of Rs.76,995/-, the amount which is lying in the SB account of the petitioner.

3. Per contra, the 4th respondent filed written statement stating that the amount yet to be returned to the petitioner is only a sum of Rs.8,15,900/- towards the amount deposited in the fixed deposits with interest thereon and requested time to settle the same to the petitioner.

4. Heard the learned counsel for the petitioner and the learned counsel for the respondents and perused the materials available on record.

5. On perusal of records, it can be seen that the respondents have not returned any amount to the petitioner during the pendency of this writ petition. This Court by an order dated 09.12.2024 directed the respondents to settle the amount lying in the savings bank account for a sum of Rs.76,995/-. Pursuant to the directions of this Court, the 4th respondent on 27.12.2024 settled an amount of Rs.76,995/- towards the amount lying in the savings bank account. The aforesaid statement was recorded by this Court



on 07.01.2025 and directed to pay the amounts deposited in the fixed deposits to the petitioner.

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6. From the counter affidavit of the 4th respondent, it is seen that the admitted amount of Rs.8,15,900/- which is calculated as maturity amount as on 30.12.2021. This Court directs the 4th respondent to settle the sum of Rs.8,15,900/- to the petitioner along with interest at 6% till the date of settlement, within a period of three months from the date of receipt of copy of this order.

7. This writ petition is disposed of with the above observation and directions. No costs. Consequently, connected miscellaneous petition is closed.

8. For reporting compliance, post on 20.06.2025.

20.02.2025

Speaking order / Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No

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To

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J. SATHYA NARAYANA PRASAD, J.

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