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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.02.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)Nos.9638 to 9640 of 2024

1.M.Devadoss	: Petitioner in WP(MD) No.9638 of 2024
2.M.Kaliapparaj	: Petitioner in WP(MD) No.9639 of 2024
3.R.Saravanan	: Petitioner in WP(MD) No.9640 of 2024

Vs.

1. The Superintendent of Police,
Thoothukudi District,
Thoothukudi.

2. The Deputy Registrar,
O/o. the Deputy Registrar of
Cooperative Society,
Thoothukudi District,
Thoothukudi.

3. The Assistant Registrar,
O/o. the Assistant Registrar of
Cooperative Society,
Kovilpatti,
Thoothukudi District.

4. The Inspector of Police,
District Crime Branch,
Thoothukudi District.

5. The Cooperative Sub Registrar,
/ Managing Director,
No. A.393 Kovilpatti Cooperative Urban Bank Ltd,
Kovilpatti,
Thoothukudi District.

6. P.Premkumar	: Respondents (in all petitions).
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COMMON PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents no. 3 and 5 to reimburse the total sum of Rs. 3,76,000 /- which was deposited in A/c.No. G-01432, Rs. 3,33,000 /- which was deposited in A/c.No. G-01404 and Rs. 2,46,000 /- which was deposited in A/c.No. (*)**G-01348 and Rs. 44,500 /- deposited in A/c.No. G - 01458** respectively on the file of the 5th respondent's bank at Velayuthapuram Branch, Kovilpatti, Thoothukudi District.

For Petitioners : Mr. B.Prasanna Vinoth (in all petitions)

For Respondents : Mr.J.K.Jeyaseelan

Government Advocate

for R2, R3 & R5 (in all petitions)

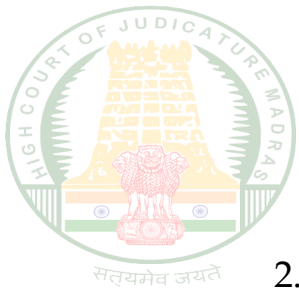
Mr.K.Gnanasekaran

Government Advocate (Crl. Side)

for R1 and R4

COMMON ORDER

These Writ Petitions have been filed seeking a direction to the respondents 3 to 5 to reimburse the total amount of Rs. 3,76,000/- deposited in A/c.No. G-01432, Rs. 3,33,000/- deposited in A/c.No. G-01404 and (*)**Rs. 2,46,000/- deposited in A/c.No. G-01348 and Rs. 44,500/- deposited in A/c.No. G-01458** respectively, from the fifth respondent bank.



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2. The case of the petitioners is that for the past 15 years, they have been depositing amounts into their respective savings accounts maintained with the fifth respondent bank. Every week, the sixth respondent, who was an agent of the fifth respondent bank, would collect the amounts from the petitioners and deposit them into the bank accounts. However, on 11.04.2023, it was found that the sixth respondent had made irregular entries and failed to deposit the amounts into the petitioners' accounts. The main allegation is that the fifth respondent, in collusion with the sixth respondent, misappropriated the funds of the petitioners. As public authorities, the respondents were responsible for safeguarding the savings in the bank accounts. However, they failed to take action and as a result, the petitioners have approached this Court by filing these writ petitions.

3. Mr.J.K.Jeyaseelan, learned Government Advocate appearing on behalf of the respondents 1, 3 and 5 submitted that the deposits made by the petitioners were misappropriated by the collection agent of the bank and the disciplinary proceedings against the sixth respondent is still pending. However, the amounts of the petitioners shall be settled within a period of 12 weeks.

4. Upon considering the facts of the case coupled and the submissions made by the learned Government Advocate, these writ petitions are disposed of, by directing the fifth respondent bank to settle the amounts payable to the petitioners,



within a period of 12 weeks from the date of receipt of a copy of this order. The
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petitioners are at liberty to approach this Court, if the fifth respondent bank fails to
comply with the terms of this order. There shall be no order as to costs.

Sd/-

19/02/2025

**(*)Corrected as per the order of this Hon'ble court dated 24.04.2025 in
WP(MD).Nos.9638 to 9640 of 2024.**

Sd/-

ASSISTANT REGISTRAR (CS - III)

// True Copy //

/ /2025

Sub Assistant Registrar()

PKN

To be substituted to the order already despatched on 23.04.2025

To

1. The Superintendent of Police,
Thoothukudi District,
Thoothukudi.

2. The Deputy Registrar,
O/o. the Deputy Registrar of
Cooperative Society,
Thoothukudi District,
Thoothukudi.

3. The Assistant Registrar,
O/o. the Assistant Registrar of
Cooperative Society,
Kovilpatti,Thoothukudi District.

4/5



4. The Inspector of Police,
District Crime Branch,
Thoothukudi District.

5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+3 CC to M/s.B.PRASANNA VINOTH, Advocate (SR-10546[F] to 10548[F] dated
19/02/2025)

+1 CC to M/s.SPL.GP (SR-10998[F] dated 20/02/2025)

W.P.(MD) Nos.9638 to 9640 of 2024
19.02.2025

AS - (05 .06.2025) 5P/ 10 C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.