

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 6<sup>TH</sup> DAY OF SEPTEMBER, 2021

BEFORE

THE HON'BLE MR. JUSTICE KRISHNA S.DIXIT

**WRIT PETITION NO.7645 OF 2021 (GM-RES)**

**BETWEEN:**

RIYAZ AHMED K N,  
AGED ABOUT 52 YEARS,  
R/AT 36, KASIM STREET,  
DHARNAMPET, GUDIYATTAM,  
GUDIYATHAM, VELLORE,  
TAMIL NADU – 632 601.

REPRESENTED BY ZABIUNNISA,  
W/O KOSHA MOHAMMED NOORUDDIN,  
AGED ABOUT 67 YEARS,  
R/AT 36, KASIM STREET,  
DHARNAMPET, GUDIYATTAM,  
GUDIYATHAM, VELLORE,  
TAMIL NADU – 632 601.

...PETITIONER

(BY SRI. MOHAMMED TAHIR, ADVOCATE)

**AND:**

MONETARY ADVISORY (IMA)  
SPECIAL OFFICER AND COMPETENT AUTHORITY,  
2<sup>ND</sup> FLOOR, BMTC COMPLEX,  
SHANTI NAGAR, BENGALURU,  
KARNATAKA – 560 027.

...RESPONDENT

(BY SRI. B V KRISHNA, AGA)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 & 227 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE A WRIT OF MANDAMUS TO RESPONDENT TO CREDIT OR REIMBURSE THE AMOUNT I.E., 3,29,000/- TO PETITIONER WHICH IS MISTAKENLY DONE BY THE PETITIONER ON 20.02.2021 IN HDFC ACCOUNT NO 50200016538950 FROM HIS BANK I.E., INDIAN BANK ACCOUNT NO.621715594 SAME AT ANNEXURE-C.

THIS PETITION COMING ON FOR PRELIMINARY HEARING, THIS DAY, THE COURT MADE THE FOLLOWING:-

### **ORDER**

The short grievance of the petitioner is as to non-consideration of his representation dated 20.3.2021 a copy whereof is at Annexure-E, wherein he has sought for refund of the money in a sum of Rs.3,29,000/- allegedly credited to IMA Account by mistake.

2. Learned Addl. Govt. Advocate appearing for the respondent vehemently opposes the Writ Petition contending that regard being had to the quantum of money so credited, it is difficult to countenance with the contention of the petitioner; however, he also submits that if a reasonable period is prescribed by this court for consideration of said representation, a decision in accordance with law would be taken thereon; this is fair enough.

In the above circumstances, this Writ Petition is disposed off directing the first respondent to consider petitioners' subject representation and inform him of the result of such consideration within a period of six weeks; all contentions are kept open. Non-compliance will be viewed seriously.

Now, no costs.

It is open to the answering respondent to solicit any information/records from the side of the petitioner subject to the rider that in the guise of such solicitation, delay shall not be brooked.

**Sd/-  
JUDGE**

**cbc**