

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

WEDNESDAY, THE 7TH DAY OF OCTOBER 2015/15TH ASWINA, 1937

WP(C).No. 28980 of 2015 (V)

PETITIONER(S):

**R.K.RAJESH KHANNA,
KANAKAVILA PUTHEN VEEDU, JONAKAPURAM, KOLLAM.**

BY ADV. SRI.K.N.SASIDHARAN NAIR

RESPONDENT(S):

- 1. THE SUB INSPECTOR OF POLICE,
KOLLAM EAST POLICE STATION, KOLLAM - 691 001.**
- 2. INDIAN OVERSEAS BANK,
NAVAYIKULAM BRANCH,
REPRESENTED BY ITS BRANCH MANAGER - 691 002.**
- 3. THE BRANCH MANAGER,
INDIAN OVERSEAS BANK, NAVAYIKULAM BRANCH - 691 002.**

**R1 BY GOVERNMENT PLEADER SRI.BIJU MEENATTOOR
R2 & R3 BY SRI.SUNIL SHANKAR, SC**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
07-10-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

msv/

WP(C).No. 28980 of 2015 (V)

APPENDIX

PETITIONER(S)' EXHIBITS

**P1 - TRUE COPY OF THE FIXED DEPOSIT RECEIPT ISSUED TO THE PETITIONER
FROM THE SECOND RESPONDENT DATED 29.2.2008.**

**P2 - TRUE COPY OF THE COMMUNICATION ISSUED BY THE FIRST RESPONDENT TO
THE SECOND RESPONDENT DATED 9.10.2014.**

**P3 - TRUE COPY OF THE COMMUNICATION ISSUED BY THE THIRD RESPONDENT TO
THE PETITIONER DATED 19.8.2015.**

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.S.TO JUDGE

MsV/

A.MUHAMED MUSTAQUE, J.

W.P(C)No. 28980 of 2015

Dated this the 7th day of October, 2015

J U D G M E N T

Petitioner has fixed deposit with second respondent-Bank. The petitioner wants to close the account and withdraw the proceeds. This was not granted by the Bank citing Ext.P2 notice issued by the Sub Inspector of Police.

2. It is seen from Ext.P2 that the Police has directed the bank to provide statement of accounts as well as to freeze the locker. In view of the above, this Court is of the view that there is no impediment in releasing the Fixed Deposit to the petitioner unless the Police ordered freezing of fixed deposit. Therefore, there shall be a direction to the second respondent-Bank to release the Fixed Deposit to the petitioner within one week from the date of receipt of a copy of this judgment.

This writ petition is disposed of as above.

MBS/

A.MUHAMED MUSTAQUE, Judge

