

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20-4-2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

WRIT PETITION No.11284 of 2015

D.Jayasankar

.. Petitioner

vs

The Branch Manager
State Bank of India
Nellukara Street
Kanchipuram 631 501

.. Respondent

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the respondent to get back their ATM Machine from the petitioner home, which was put up by the respondent in the month of March, 2014, onwards and consider the petitioner's representations dated 23.1.2015 and 6.2.2015.

For Petitioner : Ms.C.S.Raja Lakshmi

For Respondent : Mr.S.Sethuraman

ORDER

By consent, the writ petition itself is taken up for final disposal.

2.The petitioner claims that he is the absolute owner of the property bearing Town Survey No.1616, Property Tax No.66176, Pillayarpalayam, Kanchipuram, by means of a gift settlement deed bearing Document No.4382/2011. The petitioner would further state that in the month of February, 2014, the respondent-bank sought permission of the petitioner to establish Automatic Teller Machine (ATM) on rental basis and the petitioner has also agreed for the same and the monthly rent was fixed at Rs.4,500/- and the petitioner has also received an advance of Rs.13,500/- from the respondent.

3.The grievance now expressed by the petitioner, is that from March, 2014, onwards, the respondent is not operating the ATM and also not paying the rent and in this regard, he has submitted representations dated 23.1.2015 and 6.2.2015, and since he has not been favoured with any response, came forward to file this writ petition.

<https://hcservices.ecourts.gov.in/hcservices/>

4.Heard the learned Counsel appearing for the petitioner, and Mr.S.Sethuraman, learned Counsel, who accepted notice for the

respondent-bank.

5.This Court, taking into consideration the limited scope of prayer sought for by the petitioner, and without going into the merits of the same, directs the respondent to consider and dispose of the petitioner's representations dated 23.1.2015 and 6.2.2015, in accordance with law, as expeditiously as possible and not later than four weeks from the date of receipt of a copy of this order and communicate the decision to the petitioner. The writ petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

nsv

To:

The Branch Manager
State Bank of India
Nellukara Street
Kanchipuram 631 501.

1 cc to Ms.C.S.Raja Lakshmi ,Advocate, SR.No.21949

1 cc to Mr. .S.Sethuraman,Advocate, SR.No.21502

W.P.No.11284 of 2015

rsi(co)

pmk.12.5.2015

सत्यमेव जयते

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