

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.08.2015

CORAM

THE HON'BLE Mr. JUSTICE M.M.SUNDRESH

W.P.No.17821 of 2015

S.Danasekaran

.. Petitioner

Vs.

- 1.The Special Officer,
Head Office,
Chennai Central Co-op.Bank,
Parrys, Chennai-600 001
- 2.The Branch Manager,
State Bank of India,
Santhome Branch, Chennai-600 028.
- 3.The Branch Manager,
Chennai Central Co-op. Bank,
Karneswararpet Branch,
Chennai-600 004.
- 4.The Branch Manager,
Chennai Central Co-op Bank,
Velacherry Branch, Chennai-600 040.
- 5.The Branch Manager,
Chennai Central Co-op., Bank,
Mandavalli, Chennai-600 028.
- 6.The Branch Manager,
Chennai Central Co-op., Bank,
Royapettah Branch,
Chennai-600 014.
- 7.The Branch Manager,
Chennai Central Co-op., Bank,
Mylapore Branch,
Chennai-600 004.
- 8.The Branch Manager,
Chennai Central Co-op., Bank,
Nungambakkam Branch,
Chennai-600 034.

9.The Branch Manager,
REPCO Bank North Usman Road,
T.Nagar, Chennai-600 017.

10.The Branch Manager,
City Union Bank,
Mylapore, Chennai-600 004.

11.The Branch Manager,
Kumbakonam Mutual Fund Ltd.,
Mylapore, Chennai-600 004.

..Respondent

Petition filed under Article 226 of The Constitution of India praying to issue a writ of mandamus to direct all the respondents to stop withdrawal of money and any other transactions till the disposal of the petitioner's above suit in I.A.No.331/2013 in O.S.No.114/2013 on the file of Additional District Court, Thiruvallur and I.A.No.140/2015 in O.S.No.56 of 2015 on the file of Additional District Court, Chengalpet.

For Petitioner ... Mr.B.Chandran

For Respondents ... Mr.P.Sanjay Gandhi,
Additional Government Pleader
for R1 & R3

ORDER

The petitioner has filed two suits in O.S.No.114/2013 on the file of Additional District Court, Thiruvallur, and O.S.No.56 of 2015 on the file of Additional District Court, Chengalpet, against the private defendants. The petitioners are said to be the eldest son of the deceased account holder N.Sarangapani. O.S.No.114 of 2013 has been filed by the petitioner against other family members for partition. A preliminary decree has been sought for from and out of the benefit accrued in pursuant to the death of his father. Similarly, another suit in O.S.No.56 of 2015 has been filed by the children of the petitioner before the Additional District Court, Chengalpet. In both the suits a decree for partition has been claimed, in which, the money due in pursuant to the death of the petitioner's father N.Sarangapani has also been claimed. Now, the petitioner has filed the present writ petition against the respondents stating that in view of the pendency of the suits, they should not release the amount lying in the account.

2. The relief sought for in this writ petition is not maintainable. The petitioner can very well make appropriate claim in the pending suit. Thus, the writ petition stands disposed of giving

liberty to the petitioner to approach the Civil Court, where the suits are pending. No costs.

Sd/-
Asst.Registrar (CS II)

/true copy/

Sub Asst. Registrar

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To

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+1 cc to M/s.B.Chandran, Advocate, sr.42710

mp(co), kra(27/08)

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