

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.08.2016

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.29455/2016

P.Renuka

..

Petitioner

Vs.

The Bank Manager
Canara Bank, 124, Old Mahabalipuram
Road, Sholinganallur, Chennai-119.

..

Respondent

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of mandamus to direct the respondent to pay the Fixed Deposit Receipt amount Rs.5,00,000/- [Rupees Five Lakhs] along with interest to the petitioner from the date 28.01.2009 till the date of realisation.

For Petitioner : Mr.G.Murugendran
For Respondent : Mr.M.Balachander

ORDER

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

2 The petitioner would state that her mother-in-law, viz., Tmt.Visalakshi, wife of Jumbulingam, has deposited a sum of Rs.6 lakhs by way of Fixed Deposit with the respondent / Bank on 28.01.2009 and the duration of the deposit is between 28.01.2009 to 27.12.2011 with interest at the rate of 9.5% per annum and the customer ID as well as DR Number of her mother-in-law is 28617216 and 29293320000123 respectively. The petitioner also claims that in the Fixed Deposit Receipts, her mother-in-law had nominated the petitioner as her nominee. It is further stated by the petitioner that her mother-in-law was missing from 29.05.2010 onwards and in this regard, the petitioner has given a complaint on the file of J-10 Semmencherry Police Station and based on the said complaint, the said Police Station registered a case in Cr.No.361/2010 on 22.06.2010 for "Woman Missing" and the investigation is still on.

3 The learned counsel for the petitioner would submit that since the Fixed Deposit got matured on 27.12.2011 and that the petitioner's mother-in-law is also missing from 29.05.2010, being the nominee, the petitioner is entitled to

get the matured amount and in this regard, the petitioner has also submitted a representation dated 09.07.2016 to the respondent / Bank and since no orders have been passed, she came forward to file the present writ petition.

4 Heard the submissions of the learned counsel for the petitioner and Mr.M.Balachander, learned Standing Counsel, who accepts notice on behalf of the respondent / Bank.

5 Though the petitioner has prayed for a larger relief, this Court, in the light of the facts and circumstances and without going into the merits of the same, directs the respondent to consider and dispose of the petitioner's representation dated 09.07.2016 in accordance with law and pass orders within a period of six weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

6 The writ petition is disposed of accordingly. No costs.

Sd/-
Asst.Registrar (CS II)

/true copy/

Sub Asst. Registrar

To
The Bank Manager
Canara Bank, 124, Old Mahabalipuram
Road, Sholinganallur, Chennai-119.

+1 cc to M/s.G.Murugendran,advocate,sr.48163 (28/9)
tm(co)
krd 12/9

WP.No.29455/2016

सत्यमेव जयते

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