

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.02.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

W.P.No.4998 of 2016

R.Hari

... Petitioner

Vs.

1.The Registrar
Court of Small Causes,
Chennai-104.

2.The Chief Manager
Syndicate Bank
Tamil Nadu Secretariat campus
Fort St.George, Chennai-9.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of mandamus to direct the second respondent to deposit the interest for the period from 24.02.2013 to 18.04.2015 in FDR bearing No.602540511941 dated 24.02.2010 with the 1st respondent in view of their circular bearing Dis.No.1393 dated 10.06.2011 within the time stipulated by this Court.

For Petitioner : M/s.G.Devi

For respondents : M/s.P.Sanjay Gandhi,
Additional Government Pleader
for R1
M/s.V.Suthakar for R2

O R D E R

With the consent of both sides, the Writ Petition is taken up for final disposal.

2.The petitioner has come up with the present writ petition for issuance of writ of mandamus to direct the second respondent to deposit the interest for the period from 24.02.2013 to 18.04.2015 in FDR bearing No.6025405119411 dated 24.02.2010 with the 1st respondent in view of their circular bearing Dis.No.1393 dated 10.06.2011.

3.The petitioner's father G.Ramarao was travelling in MTC Bus on 22.09.2002 and while he was getting down from the bus,

the driver without seeing him took the bus in rash and negligent manner as a result of which his father fell down and sustained head injuries and died on 26.09.2002 at the hospital. The petitioner's mother filed MCOP.No.5643 of 2003 on the file of IV Court of Small Causes, Chennai, the petition was allowed on 03.07.2008 by awarding a compensation of Rs.6,93,000/- together with interest at 7.5%p.a.

4.The Chief Judge, Small Causes Court, Chennai has deposited a sum of Rs.1,73,250/- towards the petitioner's share in the FDR Bearing No.602540511941 on 24.02.2010. The first respondent by its letter dated 10.06.2011 in Dis.No.393 sent Automatic Renewal Letter to the second respondent. Again, the first respondent in its letter bearing Dis.No.1048/2015 dated 10.06.2015 directed the second respondent to sent the interest amount to the Court immediately. But the second respondent has not deposited the interest till date.

5.Today when the matter is taken up, the learned counsel appearing for the second respondent submitted that the Bank is prepared to pay the Savings Bank rate of interest for the period from 24.02.2013 to 08.04.2015 to the petitioner, within a period of two weeks.

6.Recording the submission so made by the learned counsel for the second respondent, this writ petition is closed. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

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To

1.The Registrar
Court of Small Causes,
Chennai-104.

2.The Chief Manager
Syndicate Bank
Tamil Nadu Secretariat campus
Fort St.George, Chennai-9.

+1cc to Mr.V.Suthakar, Advocate, S.R.No.10434
+1cc to Mr.G.Devi, Advocate, S.R.No.10361

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SAI(CO)
CA/04/03/2016)