



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED 22.06.2016
CORAM

THE HONOURABLE MR.JUSTICE M.VENUGOPAL

W.P (MD) No.10937 of 2016

Y.Arockiasamy

..Petitioner

Vs

1.The Post Master General,
Madurai Region, B.B.Kulam,
Madurai and District.

2.The Superintendent of Post Office,
Dindigul Head Post Office,
Dindigul District.

..Respondents.

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondents to disburse the amount deposited by the Petitioner as sought through his representation along with annexure dated 28.4.2016 to the Petitioner.

For Petitioner : M/s.A.Arul Jennifer
For Respondents : Mr.N.Shanmugaselvam

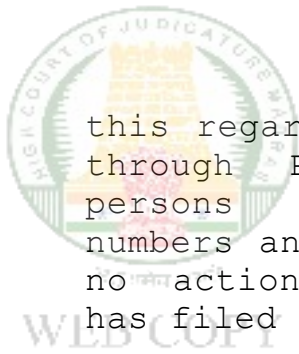
ORDER

Heard both sides.

2.By consent of both sides, the main Writ Petition itself is taken up for final disposal. No counter is filed on behalf of the Respondents.

3.It is the stand of the Petitioner that he had opened Savings Bank Account in S.B.A/c.Nos.283712 and 287276 in the Sub-Post Office, Sirunaickenpatti. His respective deposits in the above said accounts are Rs.70,147 and Rs.30,050/- respectively. Further, in the year 2015, the Sub-Post Master of Sirunaickenpatti Sub-Post Office namely, Sivaperumal had misappropriated the depositors amount which comes around Rs.9 lakhs approximately and nearly 83 accounts were misappropriated by the aforesaid individual.

4.The real grievance of the Petitioner is that his two deposit account amounts are lying with the respondents for the past two years and more. If the said amount(s) are not reimbursed at least now, he will be put to irreparable loss and hardship. He had sent numerous representations to the concerned authorities in



this regard and finally, submitted a representation, on 28.4.2016 through Post, together with annexure mentioning the details of persons who have been cheated with their relevant account numbers and deposited amounts etc. In spite of the same, there is no action taken based on his representation. Hence the Petitioner has filed the present Writ Petition.

5. In view of the limited relief sought for by the Petitioner in his representation, dated 28.4.2016, wherein he had sought for the Savings Bank Account amounts being repaid to him, this Court, at this stage, without dwelling deep into the merits and contents of the representation of the Petitioner, dated, 28.4.2016, in the interest of justice, Equity, Fair Play, Good Conscience and even as a matter of prudence, directs the Respondents 1 and 2 to look into the representation of the Petitioner, dated 28.4.2016 within a period of two weeks from the date of receipt of a copy of this order. Thereafter, the Respondents 1 and 2 are directed to pass a reasoned speaking order on merits (of course after providing adequate opportunity to the Petitioner and others concerned, if any, by adhering to the principles of natural justice in true letter and spirit) within a period of three weeks thereafter. It is open to the Petitioner to submit/produce copies of necessary documents/records before the Respondents 1 and 2, to seek redressal of his grievance in the manner known to Law and in accordance with Law. The Petitioner is directed to lend his assistance and cooperation to the Respondents 1 and 2 for early disposal of his representation, dated 28.4.2016, within the time determined by this Court, as stated supra.

6. With the aforesaid observations and directions, the Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar(AE)

/True copy/

Sub Assistant Registrar

To

1. The Post Master General,

Madurai Region, B.B.Kulam, Madurai and District.

2. The Superintendent of Post Office,

Dindigul Head Post Office, Dindigul District.

+1 cc to M/s.A.Arul Jenifer, Advocate in SR.No.32103

+1 cc to M/s.N.Shanmugaselvan, Advocate in SR.No.32119

vsn

CSL/SK-SKN/30.06.2016 : 2p/5c

W.P (MD) No.10937 of 2016

22.06.2016