



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.12.2016

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN**W.P (MD) No.4476 of 2013**

S.Indira

: Petitioner

Vs.

1. The Branch Manager,
Indian Overseas Bank,
No.74, Railway Feeder Road,
Virudhunagar 626 001.

2. S.V.R.Ramanathan

3. R.Chithra

4. P.Kalavathi

(As per order dated 01.12.2016, R3 & R4 have
been impleaded) in MP(MD)1/13)

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the first respondent herein to disburse the sum of Rs.1,14,880/- vide RDP No.511200439 and Rs.2,84,433/- vide RDP No.511200438 to the petitioner as the sole nominee of the depositor late S.V.Ramakrishnan together with accrued interest within a reasonable time to be fixed by this Court.

For Petitioner

: Mr. C.Christopher

For R-1

: Mr. M.Senthil Kumar

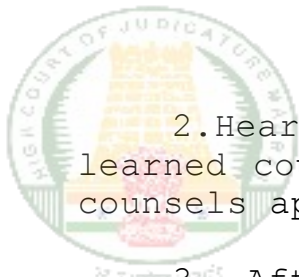
For R-2 to R-4

: M/s. Lakshmi Gopinathan

for M/s.Polax Legal Solutions

ORDER

The Writ Petition has been filed by the petitioner for issuance of a Writ of Mandamus, to direct the first respondent herein to disburse the sum of Rs.1,14,880/- vide RDP No.511200439 and Rs.2,84,433/- vide RDP No.511200438 to the petitioner as the sole nominee of the depositor late S.V.Ramakrishnan together with accrued interest within a reasonable time to be fixed by this Court.



2. Heard the learned counsel appearing for the petitioner the learned counsel appearing for the respondent bank and the learned counsels appearing for the respondents 2 to 4.

3. After elaborate arguments, the learned counsel appearing for the petitioner would submit that it would suffice if the application of the petitioner is disposed of by conducting proper enquiry, by the first respondent, on merits and in accordance with law within the time stipulated by this Court.

4. The learned counsel appearing for the first respondent would submit that the application of the petitioner will be considered in accordance with law.

5. Considering the above said submissions, I am inclined to pass the following orders:-

(a) the first respondent is directed to conduct enquiry by calling the petitioner as well as the respondents 2 to 4, who are the legal heirs of the deceased Ramakrishnan and find out whether the deceased Ramakrishnan has nominated the petitioner or not.

(b) thereafter, the first respondent is directed to pass appropriate orders on the application of the petitioner, dated 03.01.2013, on merits and in accordance with law, after giving notice to the interested parties, namely, respondents 2 to 4.

(c) the said exercise shall be completed within a period of two weeks from the date of receipt of a copy of this order.

6. The Writ petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar (Cr1.Side)

/True Copy/

Sub Assistant Registrar

pmu

To

The Branch Manager, Indian Overseas Bank,
No.74, Railway Feeder Road, Virudhunagar 626 001.

+1CC to Mr.C.Christopher, Advocate Sr.No.78798

+1CC to M/S.Polax Legal Solutions Sr.No.79290

+1CC to Mr.M.Senthilkumar, Advocate Sr.No.79243

GJM/MPA/EM/SAR-3-10.1.17-2p-5C

ORDER MADE IN
W.P (MD) No.4476 of 2013
01.12.2016