

THE HON'BLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.36608 OF 2016

ORDER:

The writ petition is filed by the petitioner seeking a writ of mandamus declaring the action of the respondents 2 and 3 in non-payments of the term deposits made by the petitioner's father (deceased) and also not permitting the petitioner to open the locker lying in the respondents 2 and 3 banks in the name of the deceased father of the petitioner as illegal and arbitrary, and consequently to direct the respondents 2 and 3 banks to return the entire deposits to the petitioner and also to permit the petitioner to open the locker in the interest of justice.

Heard and perused the material.

When the matter is taken up for hearing, this Court posed a question whether there is any letter or any communication to the petitioner by the respondents 2 and 3 informing that the petitioner is not entitled for the amounts lying in the term deposits and also for opening the locker of the petitioner's deceased father and that the learned counsel for the petitioner submits that there is no such written communication, however, the petitioner made a representation, dated 28.10.2016, to the respondents 2 and 3 to pay the amount of term deposits and also to open the locker.

Considering the facts and circumstances of the case, the respondents 2 and 3 are directed to dispose of the representation of the petitioner basing on the decision in O.S.No.62 of 2014 and also placing reliance on the Rules framed by the Reserve Bank of India. It is made clear that if the respondents 2 and 3 fail to consider the request of the petitioner, the petitioner is at liberty to approach this Court seeking appropriate relief.

The writ petition is accordingly disposed of. Consequently, miscellaneous petitions, if any shall also stand disposed of.

JUSTICE RAJA ELANGO

17.11.2016
pln