



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.07.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE M.S.RAMESHW.P.(MD) No.14232 of 2018andW.M.P.(MD) No.12877 of 2018

N.Latha

... Petitioner

vs.

1.The District Collector
Sivagangai District
Sivagangai

2.The Banking Ombudsman
O/o.the Banking Ombudsman
Reserve Bank of India Bldg., Floor-II
No.16, Rajaji Salai
Chennai-600 001

3.The Manager
State Bank of India
Devakottai Branch
No.14, Bus Stand Street
Devakottai-630 302
Sivagangai District

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the third respondent to raise the attachment order in petitioner's S.B.A/c.No.20276199363 on the basis of the petitioner's representation, dated 30.04.2018, within a stipulated time.

For Petitioner : Mrs.P.Kalaiyarasi Bharathi
For Respondents : Mr.J.Gunaseelan Muthiah
Additional Government Pleader for R1

O R D E R

Mr.J.Gunaseelan Muthiah, learned Additional Government Pleader, takes notice for the first respondent. Notice to the respondents 2 and 3 is dispensed with in view of nature of the order to be passed by this Court.

2. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.



3. It is the grievance of the petitioner that her representation dated 30.04.2018 seeking to release her salary has not been considered by the respondents till date and therefore, she has filed the present writ petition.

4. This Court has not expressed any of its view with regard to the merits of the representation made by the petitioner. It is needless to point out that whenever a representation of this nature is made, the respondents are duty bound to consider the same in one way or the other. Non-consideration of the same would amount to dereliction of ordinary duties of their office and as such, this Court would be justified in invoking its powers conferred under Article 226 of the Constitution of India to direct them to consider the petitioner's representation within a stipulated time.

5. In view of the limited prayer sought for in this writ petition, there shall be a direction to the second respondent to consider the petitioner's representation dated 30.04.2018 on its own merits and take further action in accordance with law, within a period of six weeks from the date of receipt of a copy of this order. Such an exercise shall be done after giving due opportunity to the petitioner as well as to the persons who may be interested in the subject matter.

6. With the above direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

/True copy/

Sub Assistant Registrar

To

1) The District Collector,
Sivagangai District,
Sivagangai.

2) The Banking Ombudsman
O/o. the Banking Ombudsman
Reserve Bank of India Bldg., Floor-II
No.16, Rajaji Salai
Chennai-600 001.

+1cc to Mrs.P.Kalaiyarasi Bharathi, Advocate, SR.No.71093.

W.P. (MD) No.14232 of 2018

and

W.M.P. (MD) No.12877 of 2018

04.07.2018