



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.09.2018

CORAM:

THE HONOURABLE MR.JUSTICE V.PARTHIBAN

W.P. (MD) No.5819 of 2014

T.Rengarajan

... Petitioner

vs.

1.The Chief Manager, State Bank of India,
Tirupati Main Branch, Behind Govindaraja Swamy Temple,
Tirupati-517501.

2.The Branch Manager, State Bank of India,
Arasaradi Branch,
Madurai-625 016.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of Mandamus to direct first respondent to hand over the deposit amounts stated above and the contents of the broken opened locker with certified proper inventory of the deceased S.V.K.S.Srimathi Srinivasan on whose death we obtained the succession certificate No.1/2007 issued by the learned Principal Subordinate Judge, Madurai on 03.09.2009.

For Petitioner : Mr.B.A.Muruganantham

For Respondents : Mr.S.Sethuraman
No.1.

O R D E R

The petitioner has approached this Court seeking a direction to the first respondent to hand over the deposit amounts and the contents of the broken opened locker with certified proper inventory of the deceased S.V.K.S.Srimathi Srinivasan on whose death the petitioner obtained the succession certificate No.1/2007 issued by the Principal Subordinate Judge, Madurai on 03.09.2009.

2. When the matter is taken up for hearing, the learned Counsel appearing for the first respondent would submit that the writ petition cannot be maintained before this Court, since the first respondent is not within the territorial jurisdiction of this Court and therefore, no writ could lie against the first respondent.

3. This Court is in agreement with the submission made on behalf of the first respondent that the first respondent is located outside the State of Tamil Nadu and therefore, it is not amenable to



the territorial jurisdiction of this Court and as such, no writ petition could be maintained as against the first respondent. Moreover, the second respondent is being arrayed as party in the writ proceedings only to make it appear as if the writ petition is maintainable before this Court. But in actually there appears to be no cause of action in respect of the second respondent. The second respondent cannot even be construed as a formal party and as such, the second respondent is not a proper and necessary party in this writ petition.

4. In the above circumstances, the writ petition as it is framed as against the first respondent, is not maintainable and the same is dismissed. No costs.

Sd/-

Assistant Registrar(P AND A)

/True Copy/

Sub Assistant Registrar(CS I)

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1CC TO MR. B.A. MURUGANANTHAM, ADVOCATE SR 84722

1CC TO MR. S. SETHURAMAN, ADVOCATE SR 84469

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