

THE HONOURABLE Dr.JUSTICE B.SIVA SANKARA RAO

Writ Petition No.23263 of 2017

ORDER :

Heard the learned counsel for the petitioner and the respondents 1 and 2 even served failed to attend and perused the prayer in the writ petition with the supporting affidavit.

The prayer in the writ petition reads as follows:-

“to issue a Writ Order or direction more particularly one in nature of Writ of Mandamus declaring the action of the 1 and 2 Respondents raised the holding on account No 73004384070 the Andhra Pradesh Grameena Vikas Bank Jagdavpur X Road Bonagir District Yadadri Bonagir is illegal, arbitrary and violation of principles of natural justice and consequently direct the respondents 1 and 2 to transfer the said amount to the above said trust account No 36719493629 IFSC SBIN0012716, State Bank of India, Bhongiri Branch, Yadagiri District and pass such other order or orders”

It is the supporting affidavit averment vis-à-vis the submission of the learned counsel for the writ petitioner that the amount lying in the account of the petitioner bearing No.73004384070 with the 2nd respondent/ Bank i.e. A.P.Grameena Vikas Bank, Bhongir branch of a balance of Rs.6,50,000/- (Rupees six lakh fifty thousand only). Despite the petitioner is in need for withdrawal, the same has been withheld unauthorizedly by the respondents without permission to withdraw by the petitioner.

The respondents being the instrumentalities of the State cannot be disputed on the maintainability of the writ petition. Their action is indicative of without any reason in withholding amount lying in the account of the petitioner supra but for if at all there is any statutory lean or special direct lean for not even that

case, leave apart despite served without fail to appear, as can be seen from the track record it is indicating that the respondents have no answer.

Having regard to the above, the Writ Petition is allowed directing the respondents to permit the petitioner to withdraw his amount lying in his account supra if otherwise tallied with the particulars of identity of him from the account forthwith and report compliance within one month from the date of receipt of the order.

Consequently, miscellaneous petitions, if any, pending shall stand closed.

Date: 26.04.2018
vvr

Dr. B. SIVA SANKARA RAO J,

