



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:23.04.2019

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WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVANW.P(MD)No.9655 of 2019

Leelavathi

... Petitioner

vs.

1.The General Manager,
The Madurai District Central Co-operative Bank
(MDCC Bank),
Head Office,
Opp. Madurai Head Post Office,
Madurai.

2.The Manager,
The Madurai District Central Co-operative Bank
(MDCC Bank),
T.Kallupatty,
Madurai District.

... Respondents

PRAYER:Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents particularly the second respondent to repay the Sengammals Saving Bank Account No.11210 balance amount of Rs.31 374/- with interest to the petitioner based upon the petitioner's representation, dated 05.03/.2019 and act upon the same within a stipulated time as may be fixed by this Court.

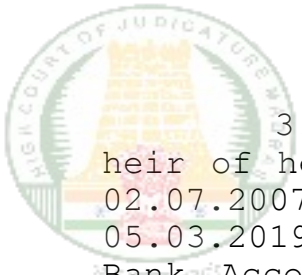
For Petitioner : Mr.A.Uthayakumar

For Respondents : Mr.D.Shanmugaraja Sethupathi

ORDER

The Writ Petition is filed seeking a direction to the second respondent to repay the Sengammal's Saving Bank Account No.11210 balance amount of Rs.31,374/- with interest to the petitioner, based on the petitioner's representation, dated 05.03.2019 within a stipulated time as fixed by this Court.

2. Heard the learned Counsel appearing for the petitioner and the learned Standing Counsel, who takes notice for the respondents. By consent, the Writ Petition is taken up for disposal at the stage of admission itself.



3. The case of the petitioner is that she is the only legal heir of her elder sister Sengammal and the said Sengammal died on 02.07.2007. Hence, the petitioner made representation dated 05.03.2019 to the respondent Bank to repay the Sengammal's Saving Bank Account No.11210 balance amount of Rs.31,374/-. However, there is no response from the respondent Bank. Therefore, the petitioner has approached this Court by filing this writ petition.

4. The learned Standing Counsel appearing for the respondents submitted that the respondents would consider the representation of the petitioner on merits, within a time frame as fixed by this Court.

5. Considering the facts and circumstances of the case and having regard to the submissions made by the learned Counsel on either side, without going into the merits of the case, the respondents are directed to consider the representation of the petitioner dated 05.03.2019 and pass appropriate orders on merits and in accordance with law, after affording an opportunity of hearing to the petitioner, within a period of eight weeks from the date of receipt of a copy of this order.

6. The Writ Petition stands disposed of, with the above direction. No costs.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

Sub Assistant Registrar (CS)

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To

1.The General Manager,

The Madurai District Central Co-operative Bank
(MDCC Bank), Head Office,
Opp. Madurai Head Post Office,
Madurai.

2.The Manager,

The Madurai District Central Co-operative Bank
(MDCC Bank), T.Kallupatty,
Madurai District.

+1CC TO MR.A.UTHAYA RAJA, Advocate Sr. No.62565

+1CC TO MR.D.SHANMUGARAJA SETHUPATHI, Advocate Sr. No.62345

W.P(MD)No.9655 of 2019

23.04.2019

AVS (CO)

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IR (03.06.2019) 2P 5C