



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.09.2020

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD)Nos.9601 & 9605 of 2020

WEB COPY

1.M.Lakshmi ... Petitioner in W.P.(MD)No.9601 of 2020

2.M.Krishnan ... Petitioner in W.P.(MD)No.9605 of 2020

Vs.

1.The District Collector,
Sivagangai District, Sivagangai.

2.The Joint Registrar of Co-operative Societies,
Sivagangai Region,
Integrated Co-operative Societies Office,
Opp.Govt. Women College,
Kanchirankal, Sivagangai,
Sivagangai District.

3.The Deputy Registrar of Co-operative Societies,
Sivagangai Region,
Integrated Co-operative Societies Office,
Opp.Govt. Women College,
Kanchirankal, Sivagangai,
Sivagangai District.

4.The Manager,
Sivagangai District Central Co-operative Bank,
Manamadurai Branch,
Sivagangai Main Road,
Manamadurai, Sivagangai District.

5.R.S.857, The Manamadurai Urban
Co-operative Credit Society,
Rep.by its Secretary/President,
67, Kundurayar Street,
Manamadurai,
Sivagangai District.

... Respondents in both W.Ps.

Common Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus, to direct the respondents to return the first petitioner's money in her savings account No.4115 and the second petitioner's money in his savings account No.4089 in the fifth respondent Co-operative Credit Society with accumulated interest, within a stipulated time to be fixed by this Court.



For Petitioner : Mr.SP.Vijay Nivas,
(in both W.Ps.)
For R1 to 3 : Mr.P.Mahendran,
(in both W.Ps.) Additional Government Pleader
For R4 & R5 : Mr.Shanmugaraja Sethupathi,
(in both W.Ps.)

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COMMON ORDER

Heard the learned counsel on either side.

2.The petitioners wanted return of their money maintained in the savings account of the fifth respondent Bank.

3.This Court ordered notice to the fifth respondent. The learned Standing Counsel for the fifth respondent Bank submitted that in the case of M.Lakshmi, the respondent Bank would repay the amount, within four months and in the case of M.Krishnan, the respondent Bank would require eight months.

4.In view of the said submission made by the learned Standing Counsel, the respondent Bank is directed to release the amount in question to the petitioners within a period of four months and eight months respectively.

5.It is reported that the petitioner, in W.P.(MD)No.9601 of 2020, passed away. Therefore, the respondent Bank shall pay the amount to the person nominated in the nomination form. If any dispute arises, of course, it is only the Jurisdictional Civil Court that will have to decide. The writ petitions are allowed, accordingly. No costs.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2020

Sub Assistant Registrar (CS)

gns

Note:In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

<https://hcservices.ecourts.gov.in/hcservices/>



To

1.The District Collector,
Sivagangai District, Sivagangai.

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+2 CC to Mr.D. SHANMUGARAJA SETHUPATHI, Advocate (SR-16031,16032
[F] dated 07/09/2020)

+1 CC to SGP (SR-16139[F] dated 07/09/2020)

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