



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.09.2020

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD)No.11535 of 2020

T.Gowthaman

... Petitioner

-vs-

Indian Overseas Bank,
Puthur Branch represented
by its Manager,
Thillai Nagar,
Tiruchirappalli - 620017.

... Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent to act upon the letter of authorization dated 30.08.2020 issued by Mrs.Sarojini in favour of the petitioner and consequently permit the petitioner to access her Locker bearing No.6 in the respondent bank.

For Petitioner : Mr.T.Gowthaman
Party-in-person

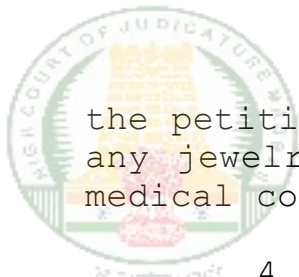
For Respondent : Mr.C.Ramesh,
Standing Counsel

O R D E R

Heard the learned counsel appearing for the writ petitioner and the learned Standing Counsel appearing for the Bank.

2.The petitioner is a practicing lawyer. His aunt Mrs.Sarojini is said to be affected with COVID-19 virus. She is now being treated in Kauvery Hospital, Trichirappalli. The petitioner states that the said Mrs.Sarojini has suffered a relapse. Now, in order to meet her medical expenses, the petitioner wants to access the bank locker. The petitioner is not aware of the contents of the locker. The petitioner's aunt Mrs.Sarojini had given a letter of authorization dated 30.08.2020. Since the said Mrs.Sarojini is a COVID-19 patient, it was not possible to register the letter of authorization. The respondent bank is therefore hesitant to act on the same.

3.I can understand the hesitation on the part of the respondent bank. But then, considering the current pandemic times, we will have to be a little more proactive. We could not insist on technicalities. The petitioner is now taking care of his own resources. The respondent's resources appeared to have dried up. Therefore,



the petitioner wants to open her bank locker to see if it contains any jewelry which can be pledged for raising funds to meet the medical costs.

4.I therefore, direct the respondent to accept the letter of authorization dated 30.08.2020 said to have been issued by Mrs.Sarojini and permit the petitioner to operate the petition mentioned locker. Ofcourse, when the petitioner accesses the bank locker, the bank officials shall be present. An inventory will also be taken. The same will be duly videographed. In the said inventory, the bank as well as the bank officials shall affix their respective signatures. The petitioner shall also give an indemnity bond in favour of the petitioner to meet any claim that may arise in future. Since it is stated that the contents of the locker would be utilized only for the purpose of raising funds to foot the medical bills, the petitioner is permitted to deal with the same.

5.With these directions, this Writ Petition is allowed.
No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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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.

To
The Manager, Indian Overseas Bank,
Puthur Branch Thillai Nagar,
Tiruchirappalli - 620017.

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