



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.01.2020

CORAM

THE HONOURABLE MR.JUSTICE **S.S.SUNDAR**

W.P.(MD)No.14593 of 2017

WEB COPY

Pandi Priyanga

... Petitioner

vs.

1.The Post Master,
Kovilpatti - 628 501,
Thoothukud District.

2.The Senior Superintendent of Post Offices,
Kovilpatti Division,
Kovilpatti - 628 501, Thoothukudi District. ... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the respondents to remit the amount of Rs.6,09,000/- in matured 13 Joint-B-Account numbers 302966, 303210, 303211, 303212, 303213, 303848, 303849, 303850, 304048, 304049, 304050, 304051 and 304052 to the petitioner and his brother Prasath along with accrued interest and bonus.

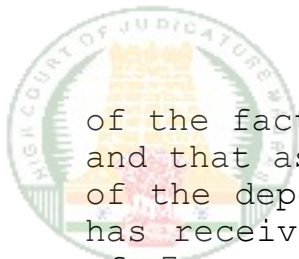
For Petitioner	:Mr.S.Ramasamy
For Respondent	:Mr.D.Saravanan

O R D E R

This Writ Petition is filed to direct the respondents to remit the amount of Rs.6,09,000/- in matured 13 Joint-B-Accounts to the petitioner and his brother Prasath along with accrued interest and bonus.

2.The petitioner and his brother by name, Prasath, jointly opened 20 Joint-B-Accounts before the first respondent herein under MIS scheme on various dates. The petitioner's brother was a minor at the time of opening of accounts, Knowing that the petitioner's brother is a minor, the amounts were allowed to be deposited by the respondents. Though the petitioner received the matured amount in respect of seven joint accounts, it is stated by the petitioner that the remaining 13 accounts have not been closed nor money refunded to the petitioner to the tune of Rs.6,09,000/- with interest and bonus.

3.The learned Counsel for the respondents earlier submitted that the petitioner is not entitled to refund of the amount, in view



of the fact that the accounts were opened contrary to the MIS scheme and that as per the scheme, the petitioner is not entitled to refund of the deposit without any interest or bonus. Since the petitioner has received more amount while settling the amount towards closing of 7 accounts out of 20 accounts, it is stated by the learned Counsel for respondents that after deducting the excess amount paid while settling 7 accounts to the petitioner, the petitioner is not entitled to any amount in the present case.

4.The learned Counsel for the respondents, upon persuasion by this Court, has reported that the first respondent has now agreed to disburse a sum of Rs.6,98,673/- towards the remaining accounts in full settlement of the claim of the petitioner. The learned Counsel for the petitioner submitted that the petitioner will be satisfied, if the said sum is paid within a reasonable time.

5.Hence, by consent of both parties, this Court direct the first respondent to pay a sum of Rs.6,98,673/- to the petitioner within a period of four weeks from the date of receipt of a copy of this order. The said amount to be paid by the first respondent to the petitioner is in full settlement of the entire claim and there shall be no further claim from the petitioner in respect of any of the accounts that has been maintained by the petitioner and his brother with the first respondent.

6.With the above directions, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (writs)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Cmr

To

1 The Post Master,
Kovilpatti - 628 501,
Thoothukud District.

2.The Senior Superintendent of Post Offices,
Kovilpatti Division,
Kovilpatti - 628 501, Thoothukudi District.

+1 CC to Mr.D.SARAVANAN, Advocate (SR-3928[F] dated 30/01/2020)

+1 CC to Mr.S.RAMASAMY, Advocate (SR-4016[F] dated 30/01/2020)

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VB(13.02.2020) 2P 5C

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