



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.12.2021

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P. (MD) .No.16840 of 2020

Viswasam

... Petitioner

Vs.

1.The District Collector,
Sivagangai District,
Sivagangai.

2.The Branch Manager,
State Bank of India,
Silukkapatti Branch,
Sivagangai District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to take necessary steps to activate the petitioner's account in (Account No.20175057130) being operated by the petitioner with the second respondent and consequently direct the second respondent to permit to withdraw the amount from the petitioner's account within a stipulated time in accordance with law.

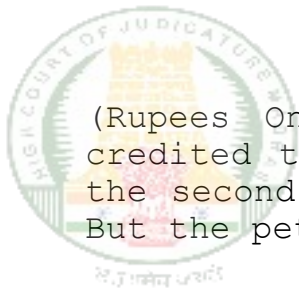
For Petitioner	:	Mr.M.Prabhu
For R-1	:	Mr.D.Ghandiraj, Special Government Pleader.
For R-2	:	Mr.G.Radhakrishnan

ORDER

Mr.D.Ghandiraj, learned Special Government Pleader, takes notice on behalf of the first respondent and Mr.G.Radhakrishnan, learned counsel, takes notice on behalf of the second respondent.

2. The petitioner, has an account with the second respondent / the State Bank of India, Silukkapatti Branch, Sivagangai District bearing Account No.20175057130. He had also obtained education loan for his daughter from the second respondent.

3. The second respondent had stopped permitting the petitioner from operating the account. It is stated that it is because a crop insurance amount of an extent of Rs.1,61,000/-



(Rupees One Lakh and Sixty One Thousand only) had been wrongly credited to the account of the petitioner. To that extent alone, the second respondent can hold on to the account of the petitioner. But the petitioner cannot be prevented from operating the account.

4. A direction is given to the second respondent to permit the petitioner to operate the account but keep a balance of Rs.1,61,000/- (Rupees One Lakh and Sixty One Thousand only). The petitioner is simultaneously given liberty to give a representation to the second respondent with respect to the said amount of Rs.1,61,000/- (Rupees One Lakh and Sixty One Thousand only) and assert that he is entitled for that amount. Once a representation in that regard is given, the second respondent must enquire all the facts and pass an order within a period of four (4) weeks from the date of receipt of a fresh representation given by the petitioner.

5. With the above observations, this Writ Petition is disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar (A.D.II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

Lm/Nsr

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

1.The District Collector,
Sivagangai District, Sivagangai.

2.The Branch Manager,
State Bank of India,
Silukkapatti Branch, Sivagangai District.

+1 CC to M/s.M.PRABU, Advocate (SR-39612[F] dated 20/12/2021)

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RK(31.12.2021) 2P 4C