



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.06.2022

CORAM

THE HON'BLE MR.JUSTICE C.SARAVANAN

W.P.NO.15087 OF 2022

Revathy

... Petitioner

Vs.

1. The Chairman,
The Tamil Nadu State Apex Co-operative Limited,
Old No.233, New No.4,
Nethaji Subhash Chandra Bose Road,
Chennai - 600 001.
2. The Manager,
Mannargudi Co-operative Urban Bank Limited,
159, East Raja Veedhi,
Mannargudi,
Thiruvarur District,
Thiruvarur - 609 001.
3. Jeyaraj

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, for issuance of a Writ of Mandamus, directing the first and second respondents to consider the petitioner's representation dated 21.03.2022 in the light of the consent letter given by the third respondent dated 31.07.2021 and allow the petitioner to open Bank Locker No.60 and to take the petitioner's jewels at the Mannargudi Co-operative Urban Bank Limited which is situated at Mannargudi, Thiruvarur District within a stipulated time.

For Petitioner : Mr.R.Karunanidhi

For Respondents :

For R1 & R2 : Mr.M.Shahjahan
Special Government Pleader



ORDER

Mr.M.Shahjahan, learned Special Government Pleader takes notice on behalf of the first and second respondents.

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2. After hearing the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the first and second respondents, this writ petition is being disposed at the time of admission itself, by dispensing with the notice and counter on the private respondent/third respondent, as no adverse orders are proposed to be passed against the private respondent/third respondent at this stage in this writ petition.

3. The petitioner is the wife of the third respondent. It is the case of the petitioner that during the time when they were living together, some of the Jewellery Items belonging to the petitioner, were kept in the locker of the second respondent Bank.

4. According to the petitioner, the third respondent has given a consent letter for removing the Jewelleries. Though a copy of the consent letter is not available, I am inclined to dispose of this writ petition by directing the first and second respondents to consider the petitioner's representation dated 21.03.2022 after due notice to the third respondent in the light of the purported consent of the third respondent. Since the ex-parte order is now being passed, the writ petition is being disposed of at the time of admission, it is expected that before passing such order, the third respondent shall be called upon and appropriate consent may be obtained from him, if the prayer of the petitioner is to be accepted by the first and second respondents.

5. The above exercise shall be carried out by the first and second respondents within a period of eight weeks from the date of receipt of a copy of this order.

6. This Writ Petition stands disposed of with the above observations. No costs.

Sd/-
Assistant Registrar(CS-VIII)

//True Copy//

Sub Assistant Registrar

arb



To

1. The Chairman,
The Tamil Nadu State Apex Co-operative Limited,
Old No.233, New No.4,
Nethaji Subhash Chandra Bose Road,
Chennai - 600 001.

2. The Manager,
Mannargudi Co-operative Urban Bank Limited,
159, East Raja Veedhi,
Mannargudi,
Thiruvarur District,
Thiruvarur - 609 001.

+1cc to the Government Pleader, High Court, Madras, S.R.No.37450

W.P.No.15087 of 2022

SJ(CO)
RLP(01/07/2022)