



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.02.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.19820 of 2021

S.Shanmuga Priyan

...Petitioner

Vs.

1. The General Manager,
Indian Bank, Corporate Office,
No.254-260, Avvai Shanmugam Salai,
Chennai - 600 014.

2. The Zonal Manager,
Indian Bank, Zonal Office,
No.15/1, Divya Towers,
III Floor, Fort Main Road,
Salem - 636 001.

3. The Branch Manager,
Indian Bank, Mecheri,
Mettur Taluk, Salem District.

...Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent Nos.1 to 3 to consider the representation dated 19.08.2021 made by the petitioner herein for disbursement of fixed deposit amount of Rs.9,000/- deposited by K.Seetharaman, on 09.08.1983 in the 3rd respondent bank in Receipt No.80/FD/C No.899780, LED Folio 147/5 along with matured value with interest.

For Petitioner : Mr.T.Sundaravadanam

For Respondents-2 & 3 : Mrs.S.R.Sumathy

O R D E R

The petitioner has filed this petition seeking issuance of writ of Mandamus, directing the respondent Nos.1 to 3 to consider the representation dated 19.08.2021 made by the petitioner herein for disbursement of fixed deposit amount of Rs.9,000/- deposited by K.Seetharaman, on 09.08.1983 in the 3rd respondent bank in Receipt No.80/FD/C No.899780, LED Folio 147/5 along with matured value with interest.

2.The case of the petitioner is that she has filed this petition seeking direction to disburse the fixed deposit amount of Rs.9,000/- deposited by her father, who died on 11.05.2005. The petitioner is represented by her legal guardian after



obtaining necessary permission from the National Trust, Government of India in pursuant to the filing of MHOP No.1/2016. It is alleged by the petitioner that on 09.08.1983, her father has deposited in fixed deposit for a sum of Rs.9,000/- in the 3rd respondent Bank for maturity value of Rs.18,220/-. After the death of the father, the petitioner have got the legal heir certificate and made representation on 04.09.2017 to the District Collector, Salem, for disbursement of the said fixed deposit amount, however it was not considered at all. Thereafter, the petitioner once again made representation dated 19.08.2021 to the respondents 1 and 2 to disburse the fixed deposit amount, which is pending on the account of the 3rd respondent and the bank officials without any valid grounds, withheld the fixed deposit amount. Aggrieved by the same, the present petition is filed.

3.The learned counsel appearing for the petitioner submitted that this Court may permit the legal guardian of the petitioner to approach the 3rd respondent with KYC form along with Guardianship certificate issued by the National Trust and upon receipt of the said certificates, the 3rd respondent may be directed to disburse the amount in favour of the petitioner within a reasonable time fixed by this Court.

4.The learned Standing Counsel appearing for the respondents submitted that upon receipt of the KYC form and guardianship certificate of the National Trust, appropriate order will be passed by the 3rd respondent for disbursement of the fixed deposit amount in favour of the petitioner.

5.In view of the above, this Court permits the legal guardian of the petitioner to approach the 3rd respondent with KYC form along with National Legal Guardianship Certificate issued under the National Trust Act within a period of one week from the date of receipt of a copy of this order and upon receipt of the said certificates, the 3rd respondent is directed to disburse the amount in favour of the petitioner within a further period of two weeks thereafter.

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

Sd/-
Assistant Registrar(CS-VIII)

//True Copy//

Sub Assistant Registrar

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To

1. The General Manager,
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Salem District.

+1cc to Mr.T.Sundaravadanam, Advocate, S.R.No.6983

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MT(CO)
RGA(17/03/2022)