



WEB COPY



W.P.No.13983 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.04.2023

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.13983 of 2023

S.Edward Rajasekar

... Petitioner

Vs.

1.Indian Bank
Rep. by its Branch Manager
100 Feet Road Branch,
Pondicherry.

2.Jaisankar Nirmala
3.Dorothy Maria Preethi
4.J.Catherine Maria Suji

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the first respondent to forthwith defreeze the OD account bearing Account No.718506433 of the firm M/s.Maria Enterprises considering petitioner representation dated 24.04.2023.

For Petitioner : Mr.S.Giritharan

O R D E R

The petitioner has filed this writ petition seeking issuance of Writ of Mandamus directing the first respondent to forthwith defreeze



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the OD account bearing Account No.718506433 of the firm M/s.Maria Enterprises by considering the petitioner's representation dated 24.04.2023.

2.The case of the petitioner is that the petitioner and one A.Jaisankar are the partners of M/s.Maria Enterprises. The said A.Jaisankar passed away on 02.09.2022. Thereafter, at the instance of the second respondent, the OD account of the partnership firm was freezed by the first respondent. The petitioner made representation to the first respondent seeking to defreeze the account and since the same has not yet been considered, has filed this writ petition.

3.The learned counsel appearing for the petitioner submitted that without going into the merits of the case, it would suffice, if this Court issue direction to the first respondent to consider the petitioner's representation dated 24.04.2023 and after providing opportunity to the respondents 2 to 4, to pass appropriate orders, within a reasonable time frame.

4.Heard the learned counsel appearing for the petitioner. Since



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this Court is not inclined to pass any adverse order as against the respondents, notice to the respondents is dispensed with.

5.Considering the limited request made by the learned counsel appearing for the petitioner, this Court, without expressing any opinion on the merits of the case, directs the first respondent to consider the petitioner's representation dated 24.04.2023, on merits and in accordance with law and after providing opportunity to the respondents 2 to 4, pass appropriate orders, within a period of twelve weeks from the date of receipt of a copy of this order.

6.This writ petition is accordingly disposed of. No costs.

28.04.2023

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Speaking Order/ Non Speaking Order

Index: Yes/ No

Internet: Yes/ No

To

1.Indian Bank

Rep. by its Branch Manager

100 Feet Road Branch,

Pondicherry.

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M.DHANDAPANI,J.
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