



W.P.No.27494 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.07.2023

CORAM

MR.JUSTICE N.SESHASAYEE

W.P.No.27494 of 2022

Banumathi

... Petitioner

Vs.

1.The Regional Manager,
ICICI Bank Ltd.,
Zonal Office,
A.V.R. Tower, 3rd Floor,
(Near Indian Bank),
Bharathi Road, Cuddalore-1

2.The Branch Manager,
ICICI Bank Ltd.,
No.17/125 Main Road,
Vaidippakkam,
Nellikuppam, Cuddalore District.

... Respondents

Prayer: The writ petition filed under Article 226 of the Constitution of India, to issue a writ of Mandamus, directing the first respondent to take necessary action and permit the petitioner to withdraw the fixed deposit amount of Rs.5,00,000/- and consider the petitioner's representation dated 06.08.2022 on humane consideration as a special case for senior citizen to secure ends of justice.



W.P.No.27494 of 2022

For Petitioner : Mr.R.Sankarasubbu

For Respondents : Mr.S.Vasudevan

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ORDER

The petitioner has filed this petition seeking the respondent's permission to encash the fixed deposit made by her son, Nirmal Bose. According to the petitioner, Nirmal Bose has passed away, and she, as a nominee and class I legal heir of the deceased, requires the bank to release the funds from the fixed deposit.

2.In response, the learned counsel for the respondent bank on instruction submitted that the petitioner, her husband and Nirmal Bose jointly obtained a housing loan, which is currently not being serviced. Therefore, the bank is exercising its lien on the fixed deposit amount.

3.Heard Mr.R.Sankarasubbu, the learned counsel for the petitioner and Mr.S.Vasudevan, the learned counsel for the respondents.

4.Inasmuch as the petitioner has made a representation to the bank, the



W.P.No.27494 of 2022

respondent / bank is now required to inform the petitioner of its decision on the petitioner's representation dated 06.08.2022 within a period of six (6) weeks from the date of receipt of an online copy or the date on which the order is hosted in the official website, whichever is earlier.

5.This Writ Petition stands disposed of accordingly with the above direction. No Costs.

18.07.2023

Anu

Index : Yes / No

Neutral citation : yes/no

To

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N.SESHASAYEE, J.



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W.P.No.27494 of 2022

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W.P.No.27494 of 2022

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