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W.P.No.18852 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.06.2023

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.18852 of 2023

Annakili

... Petitioner

Vs.

The General Manager,
Indian Overseas Bank,
Chennai – 600 002.

... Respondent

PRAYER: The Writ Petition filed under Section 226 of the Constitution of India, pleased to issue a Writ or direction or order more particularly in the nature of Writ of Mandamus to consider the petitioner representation dated on 07.11.2014 and also direct the respondent to release a sum of Rs.8,00,000/- (Eight Lakhs Rupees Only) which is in the Fixed deposit stands in the name of the petitioner's deceased husband Mr.A.Swamikannu who was the Record Keeper / Clerk in Funds Department of the respondent Indian Overseas Bank in the petitioner's favour as she is the Nominee, without insisting any Exgratia form with her legal heirs signature.

For Petitioner : Mr.K.Nagarajan

For Respondent : Mr.F.B,Benjamin George



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ORDER

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This writ petition has been filed for issuance of a writ of mandamus to direct the respondent to consider the petitioner representation dated on 07.11.2014 and to release the fixed deposit amount of the petitioner's husband for a sum of Rs.8,00,000/- (Eight Lakhs Rupees Only) in favour of the petitioner, without insisting any Exgratia form with her legal heirs signature.

2. Since no adverse order is being passed against the respondent notice to the respondent is dispensed with.

3. It is the case of the petitioner that the petitioner's husband died on 11.06.2005, after the demise of petitioner's husband, one of the officer from the respondent Bank has informed the petitioner that the fixed deposit amount for a sum of Rs.8,00,000/- of the deceased is lying in the respondent Bank. Seeking to release the aforesaid amount deposited by the petitioner's husband, she made a representation dated 07.11.2014 to the respondent. Since the same was not considered the present writ petition has been filed.



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4. Though very many grounds have been raised in the above writ petition, learned counsel for the petitioner submits that it would suffice if this Court issues a direction to the respondent to consider the petitioner's representation dated 07.11.2014 and pass appropriate orders within the time frame that may be fixed by this Court.

5. On the above contentions heard learned counsel appearing for the respondent and perused the materials placed on record.

6. Considering the facts and circumstances of the case, this Court without going into the merits of the case directs the petitioner to send a copy of the representation dated 07.11.2014 along with a copy of this order to the respondent. Upon receipt of the said representation the respondent is directed to consider the said representation and pass appropriate orders on merits and in accordance with law within a period of four (4) weeks from the date of receipt of a copy of this order.



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M.DHANDAPANI,J

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7. Accordingly, this writ petition is disposed of. No costs.

27.06.2023

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Speaking Order : Yes/No

Index : Yes/No

NCC : Yes/No

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To

The General Manager,
Indian Overseas Bank,
Chennai – 600 002.

27.06.2023