



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.06.2023

CORAM

THE HONOURABLE MR.JUSTICE **C.V.KARTHIKEYAN**

W.P.(MD)No.5667 of 2023

S.Meenakumari

... Petitioner

vs.

1.The Zonal Manager,
Bank of India,
S.F.No.64, 1C Sri Ram Complex,
Uchaparambu Main Road, Iyer Bunglow,
Madurai -14.

2.The Manager,
Bank of India, Madurai Main Branch,
East Avani Moola Street, Madurai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the second respondent to permit the petitioner to operate the locker No.10 in the 2nd respondent branch and also to hand over the sale deed registered in Joint No.III Madurai in Document No.2598/1989 in the name of petitioner's husband with a time frame fixed by this Court.



For Petitioner :Mr.R.Ramasamy
For Respondents :Mr.C.Deepak

ORDER

This Writ Petition has been filed in the nature of a Mandamus seeking a direction to the second respondent, the Manager, Bank of India, Madurai Main Branch at East Avani Moola Street in Madurai to permit the petitioner, S.Meenakumari, wife of M.Subramanian, to operate the locker No.10 in the said branch and also to hand over sale deed registered as Doc.No.2598/1989 registered in Registrar Joint No.III, Madurai, in the name of the husband of the petitioner.

2.Heard Mr.R.Ramasamy, learned Counsel for the petitioner and Mr.C.Deepak, learned Counsel for the respondents.

3.It is stated that the husband of the petitioner, M.Subramanian, served as Branch Manager in the respondent Bank. He unfortunately died on 30.03.2011. The petitioner is his widow. The petitioner's husband had opened a locker in the second respondent bank along with his mother. Thereafter, the petitioner had been seeking permission to



operate the locker.

WEB COPY

4. When the matter came up for consideration, this Court had directed that the locker may be opened in the presence of witnesses and if required, indemnity bond may be obtained from the petitioner herein.

5. Today, it is represented by both learned Counsel for the petitioner and the learned Counsel for the respondents that the locker No. 10 had been opened and whatever was there inside had been retrieved by the petitioner herein.

6. With respect to other issue relating to the sale deed, which has been mentioned above, the learned Counsel for the respondents stated that the loan was advanced in the year 1999 by Bank of India, Annanagar Branch. Even though efforts had been made to determine whether sale deed had been deposited as a collateral at the time of obtaining loan or whether the loan was advanced on the basis of the fact that the husband of the petitioner was himself an officer of the Bank, the details could not be gathered. They are not to the direct knowledge of the second



WEB COPY

respondent herein. It is therefore contended by the learned Counsel for the respondents that the petitioner may give a fresh representation with respect to the loan obtained by her late husband, M.Subramanian and also produce documents as are available with her indicating the loan account number and such other details and with the help of that, the second respondent would endeavour to determine where and if at all the sale deed is available. He also stated that it would take some time to trace out the sale deed, since search has to be also done at the Bank of India, Annanagar Branch.

7.The learned Counsel for the petitioner stated that the loan had been completely discharged after the death of the husband in the year 2011.

8.If those documents are available, then they may also be produced before the second respondent. The second respondent may make every endeavour to determine as to the availability of the said sale deed and reply to the representation given by the petitioner herein. This writ Petition need not be kept pending and the Writ Petition stands disposed



of. No costs. I am confident that unnecessary time would not be taken in giving a reply to the representation given by the petitioner in this regard.

Index :Yes / No
Internet :Yes
NCC : Yes/No

13.06.2023

cmr



WEB COPY



C.V.KARTHIKEYAN, J.

cmr

Order made in
W.P.(MD)No.5667 of 2023

13.06.2023