



W.P(MD)No.11688 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.06.2023

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P(MD)No.11688 of 2023

Vallippa Chettiar Oorani &
Valli Vinayagar Kovil Private Trust,
Through its Present Managing Trustee,
M.Kasi

... Petitioner

Vs.

1.The Branch Manager,
Indian Overseas Bank,
Puludhipatti Branch,
Sivagangai District-630 309.

2.The Branch Manager,
Indian Overseas Bank,
Devakottai Branch,
Sivagangai District.

3.R.Indiral

... Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the first and second respondent Banks to release the Fixed Deposits Nos.122504511100028,



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122504511100029, 122504511100042, 122504511100032,
122504511100030, 122504511100031, 122504511100027 and
122504511501178 and consequently, to transfer the same in the name of
the petitioner's Trust.

For Petitioner : Mr.RM.Arun Swaminathan

For Respondents : Mr.N.Dilip Kumar
Standing Counsel for R1 & R2

Mr.N.Jeyaram Sidharth for R3

ORDER

The petitioner has filed a writ petition in the nature of a Writ of Mandamus, directing the first and second respondent Banks to release the Fixed Deposits Nos.122504511100028, 122504511100029, 122504511100042, 122504511100032, 122504511100030, 122504511100031, 122504511100027 and 122504511501178 and consequently, to transfer the same in the name of the petitioner's Trust.

2. It had been stated that the Trustees had unfortunately died. The Legal Heirs are however available. All of them had granted consent of withdrawal of mentioned Fixed Deposits. The third



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respondent alone had not granted consent. However, it is contended that she has not granted consent, but, that she had returned to Madurai. A request is placed on the Zonal Manager at Indian Overseas Bank at Madurai, to depute a responsible Officer to go over to the residence of the third respondent – R.Indiral, wife of A.L.Rajendran, No.31, Gokulam Nagar 1st Street, Madurai. The petitioner may also be present at that particular point of time and identify the third respondent and there may be an independent witness, who may also identify the third respondent and in the presence of the witnesses the acknowledgment can be obtained from the third respondent, who must do so voluntarily.

3. This exercise may be completed within a period of six weeks from the date of receipt of copy of this order.

4. A counter has also been filed by the third respondent acknowledging the consent for withdrawal of the Fixed Deposits Nos. 122504511100028, 122504511100029, 122504511100042, 122504511100032, 122504511100030, 122504511100031, 122504511100027 and 122504511501178.



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5. With the above directions, the writ petition stands disposed of. No costs.

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Index : Yes/No
NCC : Yes / No
Ls

To

- 1.The Branch Manager,
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Puludhipatti Branch,
Sivagangai District-630 309.
- 2.The Branch Manager,
Indian Overseas Bank,
Devakottai Branch,
Sivagangai District.



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C.V.KARTHIKEYAN, J.

Ls

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