



W.P(MD)No.12709 of 2015

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.07.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.12709 of 2015

K.Arumugam

... Petitioner

Vs

1.The Senior Manager,
Canara Bank,
Palayankottai,
Tirunelveli.

2.The General Manager,
Canara Bank Circle Office,
East Veli Street,
Madurai.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondent to reverse the wrongly directed amount Rs.1599/- from the Savings Bank Account No. 1114101022000 due to penalty imposed for non-Maintaining of Minimum Balance by the petitioner and direct the respondents to pay Rs.10,000/- for court expenses to the petitioner and permit the petitioner to operate the above SB account without any obstacle.



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For Petitioner : No Appearance

For Respondents : Mr.C.Jawahar Ravindran for R.1

No Appearance for R.2

ORDER

None appears for the writ petitioner.

2. The case is posted under the caption “for dismissal”. The petitioner is a savings bank account holder with the first respondent Bank. He is aggrieved by the deduction of Rs.1599/- (Rupees One Thousand Five Hundred and Ninety Nine only) from the petition mentioned account. The petitioner has therefore filed this writ petition seeking compensation.

3. I went through the contents of the affidavit filed in support of the writ petition.

4. The respondents have filed typed set of papers and the learned Standing Counsel took me through its contents. It is seen therefrom that there are certain standard terms and conditions applicable to an account holder. One such condition is that the petitioner must maintain an average monthly balance.



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The amount would depend on where the branch is located. Since the petitioner did not maintain the monthly minimum balance, a sum of Rs.1599/- (Rupees One Thousand Five Hundred and Ninety Nine only) came to be debited when there was crediting of some amount in the petitioner's savings bank account.

5. I sustain the stand of the learned Standing Counsel that the petitioner is bound by the savings bank account terms and conditions. The action of the respondent is in consonance with the same. The learned Standing Counsel also draws my attention to Circular No.266 of 2014 issued by the Reserve Bank of India. The said circular provides for levy of charges per month for non-maintenance of minimum balance. I am satisfied that the impugned action of the bank is in consonance with the standard terms and conditions and Reserve Bank of India circular. No interference is warranted.

6. This writ petition stands dismissed. There shall be no order as to costs.

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Index : Yes / No
Internet : Yes / No
NCC : Yes / No
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G.R.SWAMINATHAN, J.



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