



WP (MD) No.21577 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.09.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

WP(MD)No.21577 of 2023

S.Sathiyalingam

... Petitioner

Vs

1.The Postmaster General,
Southern Region,
Bibikulam,
Madurai - 625 002.

2.The Senior Superintendent of Post Office,
Head Office,
Dindigul.

3.The Head Postmaster,
Head Office,
Palani,
Dindigul District.

4.Sathiyabama S
5. Gokul S

.. Respondents



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PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents 1 to 3 to foreclose the term deposit in Term Deposit No. 4840415109 and allow the petitioner to withdraw the matured amount by considering the representation of the petitioner dated 19.07.2023.

For petitioner : Mr.P.Arun Jayatram
For Respondents: Mr.C.Nandagopal
Standing Counsel

ORDER

The petitioner with a grievance that his term deposit has not been returned by the respondent post office by referring the proceedings in H.M.O.P.No.165 of 2017 on the file of the Sub Court Theni, MC.No.44 of 2020 on the file of the Family Court, Theni and O.S.No.97 of 2020 on the file of the District Munsif Court, Theni, which have been filed by the first wife of the petitioner/the fourth respondent herein has filed this writ petition.

2.The learned counsel appearing for the petitioner submits that the petitioner has served in United India Insurance Company and



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retired from service on 14.07.2020. He has deposited the entire retirement benefits in the post office as a term deposit for a period of one year. By referring the proceedings initiated by the first wife of this petitioner, the respondents have not returned the amount. Therefore the petitioner has submitted a representation on 19.07.2023 and has filed this writ petition for a mandamus to consider his representation to take a decision.

3.The learned counsel appearing for the respondent seeks short accommodation to file a counter affidavit that the petitioner's first wife has filed an application for maintenance and a third respondent has received a notice in that application.

4.This Court considered the rival submissions made.

5.It is an obligatory on the part of the respondents that on



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maturity, the amount invested by the petitioner on term deposit has to be returned as per the terms and conditions. Accordingly, this writ petition is disposed of with a direction to the third respondent to pass an order on the representation of this petitioner, dated 19.07.2023 within a period of eight weeks from the date of receipt of a copy of this order. No costs.

27.09.2023

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



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To

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B.PUGALENDHI, J.

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Order made in
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27.09.2023