



W.P(MD)No.28850 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.12.2023

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

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Lakshmi @ Laxmi

... Petitioner

**Vs.**

1.The Bank Manager,  
Canara Bank,  
Nazareth Branch,  
Thoothukudi.

2.Karuppammal

3.Kombiah

4.Ramakrishnan

5.Nambi Nachiyar

... Respondents

**Prayer** : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the 1st respondent to open the Bank Locker No. 135 in the presence of petitioner and in the presence of respondents 2 to 5 and hand over the articles and other valuables kept by petitioners husband Late. K.Kandasamy, based on the petitioner's representation dated 14.10.2023 within a time fixed by this Court.

For Petitioner : Mr.K.K.Udayakumar

For Respondents : Mr.R.Anandraj



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## ORDER

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Heard the learned counsel appearing for the petitioner and the learned standing counsel appearing for bank.

2. One Kandasamy Konar had bank locker facility with the first respondent bank. He passed away on 28.05.2021. The following are his legal heirs.

- 1.Laxmi W/o.Kandasamy Konar
2. Karupppammal D/o.Kandasamy Konar
3. Kombiah S/o.Kandasamy Konar
4. Ramakrishnan S/o.Kandasamy Konar
5. Nambi Nachiyar D/o.Kandasamy Konar

The petitioner is none other than the wife of the deceased. All that the petitioner wants is direction to the first respondent to permit her to open the bank locker in the presence of the other legal heirs. In my view, no exception can be taken to her request.

3. When the matter was taken up for hearing, the learned standing counsel submitted that the petitioner had earlier submitted an application for the very same relief and that it was returned on the ground that signature of the fourth respondent did not match with the specimen signature. Thereafter, the



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petitioner did not approach the first respondent again. The stand of the first respondent may be right. But then, on this ground, the petitioner is not asking for operating the bank locker excluding the other legal heirs. She states that she will appear along with the other legal heirs when the locker is open. The first respondent can satisfy himself as regards identity of all the persons and thereafter, permit the petitioner to operate the bank locker along with the private respondents herein.

4. The Writ Petition is allowed. No costs.

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

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