



W.A.No.2582 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.08.2024

CORAM :

THE HON'BLE MR. D.KRISHNAKUMAR, ACTING CHIEF JUSTICE

and

THE HONOURABLE MR.JUSTICE P.B.BALAJI

W.A.No.2582 of 2024 and

CMP No.18565 of 2024

C.B.Rakesh Bandari

... Appellant

Vs.

1. The Regional Director,
Reserve Bank of India,
Fort Glacis, 16, Rajaji Road,
Fort St. George, Chennai 600 001.
2. The Managing Director,
Syndicate Bank-Canara Bank,
No.112, JC Road, Bengaluru 560 002.
3. The Branch Manager,
Syndicate Bank-Canara Bank,
No.72, JG Nagar 2nd Street,
60 feet Road, Tiruppur.
4. Manjula Saini
5. Rajan Saini
6. Anjula Mishra

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7. Divesh Kumar Mishra

8. Sanjula Puri

9. Vikram Puri

... Respondents

PRAYER: Writ Appeal filed under Clause 15 of Letters Patent to set aside the Common order dated 12.04.2023 made in W.P.No.28606 of 2023 and to allow the writ appeal on merits.

For Appellant : Mr.K.Krishna

JUDGMENT

(Order of the Court was made by the Hon'ble Acting Chief Justice)

The appellant/ writ petitioner has filed the present writ appeal, assailing the order passed by the learned Single Judge in W.P.No.28606 of 2023, dated 12.04.2024, in and by which, his claim " *for direction to the bank authorities concerned to recall the term deposits made by his deceased father, as per the Master Circular of Reserve Bank of India, Clause 20.1.1(c)* " was denied.

2. Heard the learned counsel for the appellant and we have perused



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the materials on record.

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3. Admittedly, the appellant and the respondents 4 to 9 are the legal heirs of the deceased Chathurbhuj Bhandari and the deceased, during his life time, made term deposits with the respondents bank, wherein, he nominated the respondents 4 to 9 to receive the money, in case of his death. It is the contention of the appellant that he is a business partner with his father and before closure of the term deposit, the bank officials have not called all the legal heirs of the deceased father. Further, it is contended by him that without adhering the directions issued by the Reserve Bank of India in its Master Circular at clause 20.1.1, the banks have delivered the amount to the respondents 4 to 9.

4. The appellant has not denied the factum of nomination made by his father, nominating the respondents 4 to 9 to receive the amount with regard to the term deposits. However, it is his contention in the affidavit filed along with the writ petition that the respondents in collusion with the bank managers, had encashed the term deposits, without the original deposits, which are being with the petitioner. In such circumstances, we are of the



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view that the disputes between the appellant and the respondents can be made only before the appropriate civil court. At this juncture, the learned counsel for the appellant submitted that already a suit in O.S.No.51 of 2020 was filed before the Additional District Judge-I, Thiruvallur and the same is pending. As such, it is left open to the appellant to raise all his contentions before the said court.

5. Accordingly, this writ appeal is dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

(D.K.K., A.CJ.) (P.B.B.J.)

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Internet: Yes/No
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THE HON'BLE ACTING CHIEF JUSTICE

and

P.B.BALAJI, J.

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