



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.02.2024

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.No.23284 of 2021

V.Rajendran,
(Emp. No.344717),
Senior Manager (CC)
Erstwhile Syndicate Bank
S/o.S.Veerassamy,
15/25, G.10, Gokul Flats,
Jagadambal Street,
T.Nagar, Chennai - 600 017.

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Petitioner

versus

1.The Assistant General Manager,
Canara Bank (Erst while Syndicate Bank),
Regional Office - I,
New No.524, Old No.563,
Anna Salai, Chennai - 600 002.

2.The Senior Branch Manager,
Canara Bank (Erst while Syndicate Bank),
Teynampet Branch,
Chennai - 600 018.

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Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the second respondent herein to permit the petitioner to withdraw the amount in fixed deposits Vikas Cash Certificates (two) No 60104050033675(1), No.60104050033675(2) dated 09.10.2015 and 13.07.2016 for Rs.5,00,000/- each with accrued interest and R.D.No.60102550001680 for Rs.1,40,746.23 with accrued interest.



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W.P.No.23284 of 2016



For Petitioner : Mr.G.Purushothaman
For Respondents : Mr.S.Raghunath
for M/s.T.S.Gopalan & Co.

ORDER

Heard Mr.G.Purushothaman, learned counsel for the petitioner and Mr.S.Raghunath, learned counsel for the respondents and perused the materials available on record.

2. The petitioner, who is an employee of erstwhile Syndicate Bank and who was dismissed from service consequent to the disciplinary proceedings initiated against him has filed this Writ Petition, seeking issuance of a writ of mandamus to direct the second respondent to permit him to withdraw the amount in Fixed Deposits Vikas Cash Certificates (two) No.60104050033675(1), No.60104050033675(2) dated 09.10.2015 and 13.07.2016 for Rs.5,00,000/- each with accrued interest and R.D.No.6010255001680 for Rs.1,40,746.23 with accrued interest.

3. A Criminal case has also been registered on the very same allegations and for which, the petitioner was issued with a charge memo. A



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criminal case has also been registered by C.B.I. and a charge sheet has been filed under CBI Case No.11 of 2023 before the XI Additional City Civil Court, Chennai. Now, the grievance of the petitioner is that some of the Fixed Deposits which were invested by the petitioner with the first respondent Bank has not been released to him even after its maturity.

4. Mr.S.Raghunath, learned counsel for the respondents submitted that the first respondent cannot release the Fixed Deposits to the petitioner in view of the order of the CBI. The details of the accounts furnished by the petitioner, claimed to have been downloaded through online would reflect the above Fixed Deposits and Recurring Deposit. It is mentioned that these accounts were blocked as per CBI Letter dated 28.12.2016. The remarks of '*Blocked*' and '*Closed*' has been shown in respect of one Savings Bank Account. So far as these Fixed Deposits are concerned, they were not blocked. Hence, there cannot be any difficulty for the first respondent to release these Fixed Deposits to the petitioner. It is further submitted that the accounts are withheld only in view of the pending CBI case. The accounts are said to be the subject matter of the directions from CBI in connection



with the pending criminal case in CBI Case No.11 of 2023 before the XI Additional City Civil Court, Chennai.

5. Mr.G.Purushothaman, learned counsel for the petitioner submitted that no instructions have been obtained from the CBI to cancel the freezing of the Accounts. But, it is observed that the Bank has not marked the petitioner's Account as '*frozen account*'.

6. In such case, there will not be any impediment for the respondents to release the amount involved in the account. But in view of the pending CBI case, the same can be done only after getting '*no objection*' from the CBI. So it is upto the petitioner and the respondents to address CBI and get appropriate instructions and act accordingly.

With the above observation, this Writ Petition is **disposed**. No costs.

29.02.2024

Speaking order / Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No

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To
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R.N.MANJULA, J.

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