



W.P.(MD)No.2279 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.11.2024

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P(MD)No.2279 of 2024

Er.P.A.Viswanath

... Petitioner

Vs.

The Manager,
State Bank of India,
Thillai Nagar Branch,
C-142, Jayashree Towers,
6th Cross, Thillainagar East,
Trichirappalli.

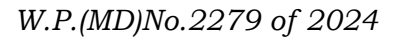
... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, calling for the records pertaining to the impugned letter issued by the respondent dated 18.08.2023 and set aside the same as illegal.

For Petitioner : Mr.K.Sivabalan
For Respondent : Mr.S.Anwar Sameem

ORDER

The impugned order has been issued by the respondent dated 18.08.2023, intimating the petitioner that in view of the pendency of civil suit in O.S.No.285 of 2021 filed by one Sakthivel against K.Sukumar and 16 others on the file of the learned District Munsif, Tiruchirappalli and since the matter is sub judice, the Society cannot be permitted to redeem the fixed deposits, directing the respondent Society to approach the appropriate Court



2. Heard the learned counsel appearing for the petitioner, the learned Standing Counsel appearing for the respondent and carefully perused the entire materials available on record.

4. Based on the counter affidavit, the learned Standing Counsel for the respondent Bank submitted that a total amount of Rs.19,52,969/- is in the fixed deposits of the Association, which is maintained in eight fixed deposit accounts. The person who has filed this Writ Petition though claiming as Secretary has never ever submitted form 6 or form 7 to substantiate his claim. That apart, the matter is already sub judice and in this regard, a civil suit is pending before the learned District Musnif, Trichy in O.S.No.285 of 2021. The plaintiff in the aforesaid pending suit, has filed an interim application restraining the bank from allowing the defendants



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therein from operating the bank accounts pertaining to the Association and the same is pending.

5. Recording the said submission and in view of the pending civil suit before the learned District Munsif, Trichy, the petitioner is hereby directed to substantiate the matter before the jurisdictional Civil Court in the pending suit. This Writ Petition is disposed of accordingly. There shall be no order as to costs.

22.11.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
Mrn

To

The Manager,
State Bank of India,
Thillai Nagar Branch,
C-142, Jayashree Towers,
6th Cross, Thillainagar East,
Trichirappalli.



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L.VICTORIA GOWRI, J.

Mrn

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