



WP(MD)No.3093 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.04.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.3093 of 2024

and

WMP(MD)No.3066 of 2024

Maahnekham

... Petitioner

Vs.

- 1.The Branch Manager,
Equitas Small Finance Bank,
Karaikudi Branch – 630 001.
- 2.Banking Ombudsman,
C/o.Reserve Bank of India,
Fort Glacis, Chennai – 600 001.
- 3.Reserve Bank of India,
Fort Glalcis, 16, Rajaji Road,
Fort St George, Chennai – 600 001.
- 4.Kaladevi
- 5.Sesumi
- 6.Amirtharaj

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus to direct the first respondent to consider the petitioner's representations and to grant access to Locker No.67 to the petitioner in accordance with the registered Will of Muthukumar and



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registered affidavits provided by Muthukumar's heirs ie., respondent Nos.4, 5 and 6 or may be pleased to pass such further or any other orders considering the facts and circumstances of the case and thus render justice.

For Petitioner : Mr.S.Bageerathan

For Respondents : Mr.S.Ponsenthil Kumaran for R1

* * *

ORDER

Heard the learned counsel for the petitioner and the learned standing counsel for the first respondent bank.

2.The petitioner wants to access the petition-mentioned locker maintained by the first respondent. The locker was opened in the name of one Muthukumar. He is said to have been the petitioner's caretaker. The petitioner states that the said Muthukumar had executed a registered Will stating that his movable and immovable properties are that of the petitioner. He passed away on 29.10.2021. The respondents 4 to 6 alone are said to be his legal heirs.



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3.The first respondent is directed to issue notice to the respondents 4 to 6 calling upon them to appear before him on 15.04.2024 at 03.00 P.M. If all the legal heirs of the deceased Muthukumar express their consent in writing in favour of the petitioner, the first respondent will permit the petitioner to open the locker and also remove the contents found inside. The petitioner, of course, will have to execute an indemnity bond and comply with the other formalities that may be stipulated by the first respondent.

4.This writ petition is disposed of accordingly. No costs.

02.04.2024

Index : Yes / No
Internet : Yes/ No
Skm

Note : Issue order copy on 04.04.2024



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G.R.SWAMINATHAN, J.

SKM

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