



W.P.(MD)No.25634 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.10.2024

CORAM

THE HON'BLE MR.JUSTICE ABDUL QUDDHOSE

W.P.(MD)No.25634 of 2024

Puthiya Thamilagam Nellai Thoothukudi Maavatta
Tamil Nadu Arasu Pokkuvarathu Ooliyargal Sangam,
Represented by its General Secretary,
K.M.Ramar,
Having Office at 1/485, New Colony,
V.M.Chathiram,
Tirunelveli – 11.

: Petitioner

Vs.

The Branch Manager,
Indian Bank,
KTC Nagar Branch,
Tirunelveli – 11.

: Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus, directing the respondent to permit the General Secretary of the petitioner's trade union to operate the savings bank account belonging to the petitioner's Trade Union bearing Account No.6124657688 forthwith without any hindrance by considering the representation of the petitioner dated 02.10.2024, by allowing the above writ petition.



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For Petitioner : Mr.A.Mohan
For Respondent : Mr.C.Karthik
Standing Counsel

ORDER

This Writ Petition has been filed for a Mandamus seeking for a direction to the respondent to permit the General Secretary of the petitioner's Trade Union to operate the Savings Bank Account belonging to the petitioner's Trade Union bearing Account No. 6124657688, forthwith.

2.The petitioner claims that they have been operating the aforesaid bank account ever since 2013. However, all of a sudden, based on a false complaint given by a third party who is not a member of the petitioner Trade Union, the respondent has now prevented the petitioner from operating the aforesaid bank account. According to the petitioner, the complainant [third party] has been removed from the membership of the petitioner Trade Union in the year 2017 itself.

3.The petitioner had given a representation on 02.10.2024 to the respondent to allow the petitioner to operate the bank account. Since the representation has not been considered, the petitioner has filed this writ petition.



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4.Mr.C.Karthick, learned Standing Counsel accepts notice for the respondent.

5.No prejudice will be caused to the respondent if the petitioner's representation as stated supra is considered on merits and in accordance with law within a time frame to be fixed by this Court.

6.However, it will have to be made clear that the petitioner will have to provide all the documentary evidence in support of the petitioner's representation to the respondent.

7.For the foregoing reasons, this Writ Petition is disposed of, with a direction to the respondent to pass final orders on merits and in accordance with law based on the petitioner's representation dated 02.10.2024, seeking to permit them to continue operating the petitioner's savings bank account bearing No.6124657688, within a period of four [4] weeks from the date of receipt of a copy of this order. However, it is made clear that the petitioner will have to provide all the documentary evidence with the respondent to enable them to pass final orders on the petitioner's representation.



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8.With the above direction, this Writ Petition stands disposed of. There shall be no order as to costs.

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Index :Yes / No

Internet : Yes / No

NCC : Yes/No

MR



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To
The Branch Manager,
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ABDUL QUDDHOSE, J.

MR

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