



W.P(MD)No.15176 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.11.2024

CORAM :

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

W.P(MD)No.15176 of 2017

and

W.M.P.(MD)Nos.11991 & 11992 of 2017

M.Suriya Praba

... Petitioner

Vs.

1.The Branch Head,
Branch Office,
Tamil Nadu Mercantile Bank Ltd.,
No.93, Madurai Road,
Usilampatti-625 532, Madurai District.

2.R.Gnanasekaran

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the entire records on the file of the 1st respondent in connection with the impugned proceedings passed by him vide his proceedings No.Nil, dated 07.07.2017 and quash the same as illegal and arbitrary and consequently, to direct him to permit the petitioner to operate the Current Account in A/c.No.070150050800345 of the Gurudev Matriculation School in the larger interest of the students, teaching and non-teaching staffs of the School, a unit of Gurudev Educational and Charitable Trust, Ayyanarkulam Village, Usilampatti Taluk, Madurai District within the time limit stipulated by this Court.



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For Petitioner : Mr.G.Thalaimutharasu
For R1 : Mr.N.Dilip Kumar
For R2 : Mr.M.Saravanan

ORDER

This Writ Petition had been filed, challenging the communication of the 1st respondent freezing the account of Gurudev Matriculation School.

2.Pending Writ Petition, the petitioner said to have resigned from the trusteeship of Gurudev Educational and Charitable Trust and thereafter, the 2nd respondent herein has been appointed as a Managing Trustee. Even though this Writ Petition is not maintainable, in view of the judgment of the Hon'ble Supreme Court in the case of ***Federal Bank Limited Vs. Sagar Thomas and others*** reported in ***(2003) 10 Supreme Court Cases 733***, which has been followed by this Court in very many decisions, considering the fact that the petitioner had already resigned from the Managing Trustee of the Trust and he has no way connected with the Trust, no further adjudication is required in this Writ Petition. Accordingly, this Writ Petition is disposed of. The 1st respondent shall permit the operation of the account by the Managing Trustee subject to the fulfilment of the requirements.



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No costs. Consequently, connected miscellaneous petitions are closed.

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

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