



W.P.(MD)No.5365 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.02.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.5365 of 2025

T.Murugesan

... Petitioner

-VS-

1.The Regional General Manager,
Canara Bank Circle Office,
South Zone, Old Kuyavarpalayam,
Madurai.

2.The Branch Manager,
Canara Bank, Udangudi,
Thoothukudi District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, directing the respondents bank to release the entire deposit amount held by the petitioner's mother namely, Tmt.Chandrapushpam in Kamadenu Deposit Account S.B.No.2197 and receipt in KDR No.367/1995 with the second respondent's bank along with accrued interest to the petitioner as the rightful legal heir, within the time frame as fixed by this Court.

For Petitioner : Mr.S.Balamurugan

For Respondents : Mr.V.Balasubramanian
Standing Counsel



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ORDER

This Writ Petition has been filed seeking a direction to the respondents bank to release the entire deposit amount held by the petitioner's mother namely, Tmt.Chandrapushpam in Kamadenu Deposit Account S.B.No.2197 and receipt in KDR No.367/1995 with the second respondent's bank along with accrued interest to the petitioner as the rightful legal heir.

2. With the consent of both sides, this Writ Petition is disposed of, at the admission stage itself.

3. The petitioner alleges that the respondent Bank is unlawfully retaining the amounts deposited by his mother. In this regard, the petitioner has sent a series of representations to the respondent Bank. However, as no action has been taken by the respondent, the petitioner has been left with no alternative but to approach this Court by filing the present writ petition.

4. Heard both sides.

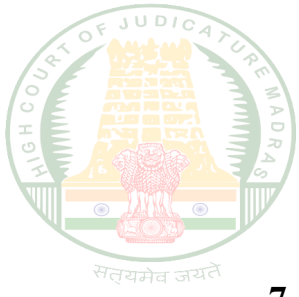


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5. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon him to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-consideration of the representation by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of the Constitution of India and direct them to consider the same within a stipulated time.

6. In the light of the above observations, there shall be a direction to the respondents herein to consider the petitioner's representation dated 12.12.2024, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner as well as all other persons, who may be interested in the subject matter, within a period of three months from the date of receipt of a copy of this order. It is also made clear that this Court has not expressed any of its views with regard to the merits of the matter and that it is open to the respondents to consider the same on its own merits.



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7. With the above directions, the Writ Petition stands disposed of. There shall be no order as to costs.

NCC : Yes / No
Index : Yes / No
smn2

28.02.2025

To:-

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VIVEK KUMAR SINGH, J.

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