



W.P.(MD)No.6663 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.03.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

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Veerapandi

... Petitioner

-VS-

1.The Chief Manager,
Indian Overseas Bank,
127 East Velli Street,
Madurai Main Branch, Madurai District.

2.The Branch Manager,
Indian Overseas Bank,
127 East Veli Street,
Madurai Main Branch,
Madurai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents' bank to permit the petitioner to operate the bank locker in Locker No. 280 with the respondents' bank based on the petitioner's representation dated 26.02.2025 within a stipulated time that may be fixed by this Court.

For Petitioner : Mr.R.Rajamohan

For Respondents : Mr.N.Dilip Kumar
Standing Counsel



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ORDER

This Writ Petition has been filed seeking a direction to the respondents' bank to permit the petitioner to operate the bank locker in Locker No.280, based on the petitioner's representation dated 26.02.2025.

2. By consent, this Writ Petition is taken up for final disposal at the admission stage itself.

3. According to the petitioner, his grandfather, Samayanan Servai, hired a locker (Locker No.280) in the respondents' Bank. The petitioner's grandfather passed away on 31.01.1994 and thereafter, the petitioner's father paid the rent and informed the respondents' Bank about the demise of Samayanan Servai. Initially, the petitioner's father requested permission from the respondents' Bank to operate the locker. However, the bank rejected the request, citing that a civil suit in O.S.No.115 of 1994, on the file of the District Munsif Court, Kovilpatti, was pending. The petitioner's father later came to know that the civil suit was dismissed on 29.11.1995. Subsequently, the petitioner's father passed away on 15.08.2003, leaving behind the petitioner and seven others as his legal heirs.



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4. Further, according to the petitioner, he is the direct legal heir of his grandfather, on 22.11.2024, he submitted an affidavit and a consent deed from the other legal heirs, all of whom have no objection for permitting the petitioner to operate the locker. The petitioner has also made a paper publication on 25.11.2024 regarding the operation of the locker and no objections were raised before the respondents' Bank. However, the respondents' Bank has not permitted the petitioner to operate the locker. On 26.02.2025, the petitioner sent a representation to the respondents' Bank, requesting permission to operate the locker, but no action has been taken by the bank officials so far. Therefore, the petitioner has filed the present writ petition.

5. Heard both sides.

6. 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



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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.

7. In the light of the above observations, there shall be a direction to the first respondent herein to consider the petitioner's representation dated 26.02.2025, 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 one month 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 first respondent to consider the same on its own merits.

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

NCC : Yes / No
Index : Yes / No
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VIVEK KUMAR SINGH, J.

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