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WP No. 4792 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07-04-2026

CORAM

THE HON'BLE MR JUSTICE M.DHANDAPANI

WP No. 4792 of 2024

A.Periyanayagam

..Petitioner(s)

Vs

1. The Branch Manager
Indian Overseas Bank,
N.M.Road, Avadi,
Chennai-600 054.
2. The Inspector Of Police
T6-Avadi Police Station,
Neru Bazar, Avadi,
Chennai 600 054
3. P.Stella Rani

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus, to direct the 1st respondent to open the petitioner Bank Locker No.35 through duplicate Key or obtain the Bank locker key from the 3rd Respondent or break open the Bank locker to recover the petitioner above said properties from the Indian Overseas Bank Locker No.35.

For Petitioner(s):

A.Martin

For Respondent(s):

Mr. A.Jeyaraman for R1
Mr.A.Meghanathan,



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Government Advocate(Crl.Side) for R2
R3-Not ready notice

ORDER

This Writ Petition is filed for a Mandamus directing the 1st respondent to open the petitioner Bank Locker No.35, through duplicate key or obtain the Bank Locker Key from the 3rd respondent or break open the Bank Locker to recover the petitioner's above said properties from the Indian Overseas Bank Locker No.35 and to pass appropriate direction.

2. It is the case of the petitioner that the petitioner is an aged Ex-servicemen and is obtaining pension from Army and he is having four sons and a daughter / 3rd respondent herein. According to the petitioner, while he was sick, the 3rd respondent and her sons forcibly obtained the petitioner Bank ATM card, Bank Locker Key No.35 and other original property documents and misused the same for her monetary benefits and also fabricated a registered Settlement Deed bearing Doc. No.16584/2021 at SRO, Avadi, in favour of 3rd respondent and her sons to sell to third party. Therefore, the petitioner lodged a police complaint against the 3rd respondent and her sons before the 2nd respondent on 07.05.2022, 15.07.2022, 12.12.2022, 27.12.2022, 21.03.2022 and 23.08.2023 to take action against the 3rd respondent and her sons to recover the above said properties from them, but the 2nd respondent yet have not taken any action. In such circumstances, the petitioner lodged a complaint against the 3rd



respondent and her sons before the Thiruvallur District Collector on 09.05.2022, for which, the Revenue Divisional Officer, after full fledged enquiry, passed an order dated 29.12.2022 hold that the fabricated settlement deed bearing Doc.No.16584/2021 at SRO Avadi is null and void and also advised the petitioner to approach the respondents 1 and 2 to recover the said movable properties from the Indian Overseas Bank Locker No.35. Therefore, the petitioner approached the respondents 1 and 2, but the respondents 1 and 2 yet have not initiated any action for the same and hence, the petitioner has filed the instant writ petition.

3. The second respondent Police has filed a Status Report dated 27.02.2024 stating that based on the complaint given by the petitioner, on 15.07.2022, the then Sub Inspector of Police had sent a requisition letter to the Bank Manager, Indian Overseas Bank, Avadi Branch to obtain the details of the petitioner's bank account and the same was obtained on 29.07.2022, in which it has been stated that the petitioner and the 3rd respondent were jointly maintaining the Locker Number 35 and the last operation on 21.10.2021 by the 3rd respondent as per the locker movement register in the said bank and Bank is not responsible for the items present in the locker and no data will be available for the same. After conducting enquiry on 17.07.2022, the then Sub Inspector of Police closed the CSR No.855/2022 on the file of the T-6 Avadi Police Station.



4. Heard both sides and perused the materials on record.

5. A perusal of the facts reveals that it is clearly a family dispute between the petitioner, who is a retired Army pensioner and his daughter, who is the 3rd respondent herein and her sons. Considering the facts and circumstances of the case and the submission made, this Court is of the view that the grievance of the petitioner and the 3rd respondent has to be ventilated only before the Civil Court. As regards the dispute regarding operating of Bank Locker is concerned, the first respondent bank is directed to conduct an enquiry between the petitioner and the third respondent and proceed further in accordance with law. Insofar as the lodging of police complaint is concerned, if at all the petitioner is having any grievance, the petitioner is at liberty to work out his remedy before the Criminal Court in the manner known to law.

6. With the above direction, this Writ Petition stands disposed of. No costs.

07-04-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

ssb



To

1. The Branch Manager
Indian Overseas Bank N.M.Road Avadi Chenani 600 054
2. The Inspector Of Police
T6-avadi Police Station Neru Bazar, Avadi Chennai 600 054



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