

**IN THE COURT OF THE PRINCIPAL DISTRICT JUDGE, COIMBATORE**

Present: **Tmt. G. VIJAYA, B.A., M.L., PGDCFS**  
Principal District Judge, Coimbatore.

Thursday, this the 03<sup>rd</sup> day of July 2025

**I.A.No.7/2025 in SOP No.347/2022**

1. C.Muralidaran  
2. V.M.Vikhash Karthik,  
represented by power of attorney  
C.Muralidaran ... Petitioners/Petitioners

/vs/

1. The Branch Manager  
Bank of Baroda(Vijaya Bank)  
Varadharajapuram Branch,  
Coimbatore ... Respondent No.1/  
Respondent No.3

2. A.Mohankumar ... Respondent No.2/  
Respondent No.9

This petition came before me for final hearing on today in the presence of **Tvl.G.Sridhar and N.D.Sampathkumar**, Advocates for the Petitioners/Petitioners, and of **Thiru.K.A.Subramanian**, Advocate for the Respondent No.2/Respondent No.9 and upon perusing the records and hearing arguments of both side and having stood over for consideration till this day, this Court passed the following

**ORDER**

This petition has been filed by the Petitioner under Section 151 of CPC to pass an order to the Respondent No.1/Respondent No.3 bank to open the locker A/c No.30360840S00013 (Vijaya Bank) and 7513BX0113 (Bank of Baroda) in the presence of the Petitioner, Respondent No.2/Respondent No.9 herein and their respective counsel Tvl.G.Sridhar and K.A.Subramanian and Respondent No.1/Respondent No.3 Bank Manager and to direct the Respondent No.1/Respondent No.3 Bank Manager to file report before this Hon'ble Court after taking inventory from locker in front of both the parties.

**2. Averments contained in the petition :**

i. The Petitioners herein are the Petitioners in the above SOP. In the main SOP, in the schedule, II. Bank of Baroda (Vijaya Bank), Item C - Locker in favour of Vijayakumari and Sarojini with nature of holding "Either or Survivor" has been described. The jewels and other things if any contained in the locker have not been disclosed by the Petitioners by over sight.

ii. It is just and necessary that the details of jewels and other things if any contained in the locker have to be submitted before this Hon'ble Court.

iii. Hence the Petitioners prays this Hon'ble Court may kindly be pleased to pass order to the Respondent No.1/Respondent No. 3 bank to open the locker A/C. 30360840S00013 (Vijaya Bank) and No.7513BX0113 (Bank of Baroda) in the

presence of Petitioner, Respondent No.2/Respondent No. 9 herein and their respective counsel Tvl.G.Sridhar and K.A.Subramanian and Respondent No.1/Respondent No. 3 Bank Manager and to direct Respondent No.1/Respondent No.3 Bank Manager to file report before this Hon'ble Court after taking inventory from locker in front of both the parties and thus render justice.

**3. The gist of the counter statement filed by the 9<sup>th</sup> Respondent is as follows :**

i. The petition is false, frivolous, vexatious and not maintainable either on law or on facts of the case. Except as to matters those that are expressly admitted herein the rest are put to strict proof by petitioner.

ii. The averments made in para 2 of the affidavit is incorrect. The allegations that at the time of filling the petition, "The jewels and other things if any contained in the locker have not been disclosed" is an after thought. The petitioners can say that the contents are kept in the Locker. They cannot specifically state jewels and others things.

iv. This respondent is ready to abide the order of this Hon'ble Court if this respondent and his counsel are permitted to present at the time of opening of the Locker. Moreover this respondent's wife namely G.Vidhya (Retired administrative officer, LIC of India) being the only female member of both the families of the petitioners and this respondent may also be permitted to accompany this respondent while the Locker is opened, Further being the only female member of the family she

also very well of the particulars of the valuable of both the mother of this respondent and sister of this respondent. She will be also helpful in identifying the jewels if any.

v. The report of the 1<sup>st</sup> respondent must be based on all the available jewels if any in the locker. It is therefore prayed suitable orders may kindly be passed.

**4. The point for consideration :**

Whether the Petitioner is entitled for the relief for a direction to the Respondent No.1/Respondent No.3 bank to open the locker A/c No.30360840S00013 (Vijaya Bank) and No.7513BX0113 (Bank of Baroda) in the presence of the parties and their respective counsel and for a direction to the Respondent No.1/Respondent No.3 bank to file report after taking inventory from the locker in front of the parties or not? is the point for consideration.

5. On the side of the Petitioner as well as the Respondent, no oral evidence adduced and no document was marked.

**Point :**

6. Heard both side and perused the relevant records. This petition is filed for a direction to the Respondent No.1/Respondent No.3 bank to open the locker A/c No.30360840S00013 (Vijaya Bank) and No.7513BX0113 (Bank of Baroda) in the

presence of the parties and their respective counsel and for a direction to the Respondent No.1/Respondent No.3 bank to file report.

7. It is the case of the Petitioners/Petitioners that in the main SOP, in the item C – Locker mentioned in the schedule II, the jewels and other things if any contained in the same have not been disclosed by the Petitioners by oversight and it is just and necessary that the details of the same have to be submitted before this Hon'ble Court and hence he has come forward with this petition for a direction to the Respondent No.1/Respondent No.3 bank to open the locker and file report and prays to allow the petition.

8. The learned counsel for the Respondent No.2/Respondent No.9 has submitted that the Petitioners can say that the contents are kept in the locker, but they cannot specifically state jewels and other things. However, the Respondent No.2/Respondent No.9 is ready to abide the order of this Hon'ble Court if he and his counsel are permitted to present at the time of opening the locker and the Respondent No.2/Respondent No.9's wife may also be permitted to accompany with the Respondent No.2/Respondent No.9 while the locker is opened and prays to pass suitable orders.

9. This Court has given its anxious consideration on the rival contentions of both the

parties. Admittedly, the contents have not disclosed in the item 'C' of the schedule II Bank of Baroda (Vijaya Bank) in the petition schedule mentioned property. The Petitioners have come forward with this petition seeking for direction to the Respondent No.1/Respondent No.3 bank herein to open the locker A/c No.30360840S00013 in the presence of the parties and their respective counsel and to prepare an inventory of the properties kept in the said locker. The Respondent No.2/Respondent No.9 herein also agreed that he will co-operate in the matter of opening the above said locker in the presence of both the parties and their representatives and their respective counsel. After considering all the above said aspects, considering the nature of the petition, this Court is inclined to allow the petition on the following conditions;

- i. The locker shall be opened only in the presence of Bank Manager, Petitioners/Petitioners and the Respondent No.2/Respondent No.9.
- ii. The Petitioners herein shall make available the key for the opening of the bank locker on the date and time assigned by the Branch Manager of the Bank.
- iii. The Branch Manager shall cause locker to be opened in the presence of the Petitioners/Petitioners herein and the Respondent No.2/Respondent No.9 herein. The inventory shall be prepared by the Branch Manager in the presence of Petitioners/Petitioners and the Respondent

No.2/Respondent No.9 and the same shall be signed by them and submit the same before this Court on or before 25-07-2025.

Dictated to the Steno-typist and typed by her in the computer, corrected and pronounced by me in the open court, this the 03<sup>rd</sup> day of July 2025.

PRINCIPAL DISTRICT JUDGE,  
COIMBATORE

List of witnesses and Documents : NIL

PRINCIPAL DISTRICT JUDGE,  
COIMBATORE

Principal District Court,  
Coimbatore  
I.A.No.7/2025  
in  
SOP No.347/2022  
Dt : 03-07-2025  
Draft/Fair Order