



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

THURSDAY, THE 28TH DAY OF OCTOBER 2021

THE HON'BLE MR. JUSTICE N.SESHASAYEE

C.S. No.413 of 2017
and
A. No.3246 of 2021

N.Umayal Achi,
W/o S.R.M.S.Narayanan Chettiar,
No.6/10, Leith Castle Centre Street,
Santhome,
Chennai – 600 028.

... Plaintiff

-Versus-

***1.DBs Bank India Limited,**
Adyar Branch,
Rep. by its Manager,
No-124-A, Lattice Bridge Road,
K.R.Building, Adyar,
Chennai – 600 020.

*** Causetitle Long and Short
amended as per order dated
23.02.2021 in Application No 626 of 2021.**

2.M.Rajanarayanan, (Deceased)
S/o Muthiah,
Raj Emerald Apartments,
11, 3rd Floor,
Seetha Nagar, 3rd Road,
Nungambakkam, Chennai – 600 034.

3.Reserve Bank of India,
Represented by its Regional Director,
Fort Glacis, No.16, Rajaji Salai,
Chennai – 600 001.



***4. Mrs.Uma Raja,
W/o M.Rajanarayanan,
Raj Emerald Apartments,
11, 3rd Floor,
Seetha Nagar, 3rd Road,
Nungambakkam, Chennai – 600 001.**

***5.Mrs.Nagini,
D/o M.Rajanarayanan,
Raj Emerald Appartments,
11, 3rd Floor,
Seetha Nagar, 3rd Road,
Nungambakkam, Chennai – 600 001.**

... Defendants

*** (Defendants 4 & 5 are brought on record
as LR's of the Deceased 2nd Defendant
as per order dated 19.08.2019 in Appl.No.3926/2019).**

Civil Suit praying that this Hon'ble Court be pleased to pass a Judgment and Decree against the 1st Defendant Bank:-

a)Declaring that the pledge/lien/charge or any form of security created in favour of the 1st Defendant over the Plaintiff's fixed deposits' more fully described in the Schedule hereunder is unenforceable in law, null & void and not binding on the Plaintiff and consequently direct the 1st Defendant to return the Plaintiffs' original fixed deposit receipts more fully described in the Schedule to the Plaintiff.

b)Direct the 1st Defendant to render true and proper accounts to the Plaintiff in respect of the interest accrued less taxes if any in the afore said Fixed Deposits from the initial date of deposit till final payments thereof to

the Plaintiff



c)Costs of the suit.

WEB COPY A.No.3246 of 2021

N.Umayal Achi,
W/o S.RM.S.Narayanan Chettiar,
No.6/10, Leith Castle Centre Street,
Santhome,
Chennai – 600 028.

... Applicant

-Versus-

1.DBs Bank India Limited,
Adyar Branch,
Rep. by its Manager,
No-124-A, Lattice Bridge Road,
K.R.Building, Adyar,
Chennai – 600 020.

2.M.Rajananarayanan, (Deceased)
S/o Muthiah,

3.Reserve Bank of India,
Represented by its Regional Director,
Fort Glacis, No.16, Rajaji Salai,
Chennai – 600 001.

4. Mrs.Uma Raja,
W/o M.Rajananarayanan,
Raj Emerald Apartments,
11, 3rd Floor,
Seetha Nagar, 3rd Road,
Nungambakkam, Chennai – 600 001.

5.Mrs.Nagini,
D/o M.Rajananarayanan,
Raj Emerald Appartments,
11, 3rd Floor,
Seetha Nagar, 3rd Road,
Nungambakkam, Chennai – 600 001.

... Respondents



WEB COPY Application praying that this Hon'ble Court be pleased to appoint an Advocate Commissioner to examine the applicant in chief and cross with such directions as this Honble court may deem fit.

This Civil Suit along with application coming on this day before this court for hearing, the Court made the following order:

The Chief Examination has been recorded and the Commissioner says that the witness has to be cross-examined.

2.The learned counsel for the defendants to cross-examine the witness at 2.15 p.m. on 11.11.2021 and 12.11.2021. The spill over, if any shall stand over to the successive day at the same time.

3.Post the matter on 17.11.2021.

Sd./-NSSJ.
28.10.2021

//Certified to be true copy//

Dated at Madras this the day of 2020.

COURT OFFICER(O.S.)

From 25th Day of September 2008 the Registry is issuing certified copies of the Orders/Judgments/Decrees in this format.

JJ 09/11/2021