

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE DAMA SESHADRI NAIDU

WEDNESDAY, THE 14TH DAY OF OCTOBER 2015/22ND ASWINA, 1937

WP(C).No. 25625 of 2015 (C)

PETITIONER : -

MARRY ABRAHAM,
W/O.LATE K.T.ABRAHAM,
KANAMPADAMATTATHIL HOUSE,
PADINJAREKKARA,
KOTTAYAM DISTRICT, PINCODE-686 646.

BY ADV.SRI.JACOB E SIMON

RESPONDENT : -

THE ALANALLUR SERVICE CO-OP BANK LTD,
ALANALLUR P.O, PALAKKAD DISTRICT, PIN-678601.

BY ADV.SRI.K.M.FIROZ
BY ADV.SMT.M.SHAJNA
BY ADV.SRI.S.KANNAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
14-10-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 25625 of 2015 (C)

APPENDIX

PETITIONER'S EXHIBITS : -

EXHIBIT P1 : TRUE COPY OF THE RELATION CERTIFICATE ISSUED BY THE
VILLAGE OFFICER, PULIYANNOOR VILLAGE.

EXHIBIT P2 : TRUE COPY OF THE REPLY ISSUED BY THE RESPONDENT BANK
DATED 17.06.2015.

EXHIBIT P3 : TRUE COPY OF THE REQUEST MADE BY THE PETITIONER DATED
24.06.2015 BEFORE THE RESPONDENT BANK.

RESPONDENT'S EXHIBITS : - NIL.

// TRUE COPY //

P.A. TO JUDGE

DMR/-

DAMA SESHADRI NAIDU, J.

W.P.(c) No. 25625 of 2015

Dated this the 14th day of October, 2015

JUDGMENT

The petitioner claiming to be the wife of a deceased depositor sought information from the respondent Bank regarding the cash deposits made by her deceased husband. At any rate, the petitioner is also said to have sought the release of the deposits in her favour, as well.

2. The learned counsel for the respondent Bank has submitted that the deposits have not yet matured. He has further submitted that since the Bank is not sure that the petitioner was the wife of the deceased depositor, only with a view to protecting the interest of the depositor, it has maintained secrecy. And, accordingly it has not provided any information.

3. Be that as it may, the entitlement to the deposits is a matter of succession. Especially, in view of the representation made by the learned counsel for the respondent Bank that the deposit application contained the name of another person as the nominee, it will, for the time being, suffice if a direction is

given to the respondent Bank to provide to the petitioner the information concerning the deposits, so that, if she is entitled, she could take further remedial steps in accordance with law.

In the facts and circumstances, having regard to the respective submissions of the learned counsel for the petitioner and the learned counsel for the respondent Bank, this Court, without adverting to the merits of the matter, disposes of the writ petition with a direction to the respondent Bank to provide to the petitioner all the particulars concerning the deposits standing in the name of the Late K.T. Abraham, said to be the husband of the petitioner, at the earliest.

DAMA SESHADRI NAIDU
JUDGE

DMR/-