



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.07.2017

CORAM :

WEB COPY

THE HONOURABLE MR. JUSTICE K. KALYANASUNDARAM

W.P.(MD) No.1156 of 2016
and W.M.P.(MD) No.962 of 2016

S.Vannamuthu

... Petitioner

Vs.

The Manager,
Canara Bank,
Tenkasi Road,
Alankulam Post,
Tirunelveli District.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondent to consider the petitioner's representation dated 03.08.2015 on merits and in accordance with law and pass appropriate order forthwith within a time stipulated as specified by this Court.

For Petitioner : Mr.S.Palani Velayutham
For Respondent : Mr.C.Karthick

ORDER

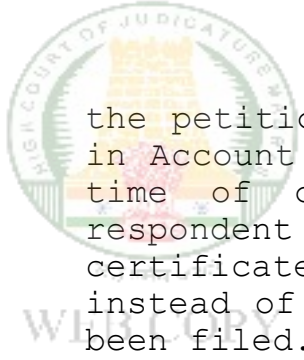
This Writ Petition has been filed by the petitioner for issuance of Writ of Mandamus, directing the respondent to consider the petitioner's representation dated 03.08.2015 on merits and in accordance with law.

2. Heard the learned counsel for the petitioner and the learned counsel appearing for the respondent.

3. The case of the petitioner is that his sister Athilakshmi died on 07.03.2015 and prior to that, her husband Ramasubramaniam died on 30.10.2008. Since both of them died issueless and on the basis of the Will executed by her sister, the petitioner's son is entitled to all the properties including the amount lying in the respondent bank. Since the petitioner's request for transferring the amount to the account of his son was not considered by the respondent bank, a representation was given on 03.08.2015, enclosing Death Certificates. Even then, no favorable order was passed and hence, the present Writ Petition has been filed.

<https://hcservices.ecourts.gov.in/hcservices/>

4. The respondent has filed a counter affidavit stating that



the petitioner's sister Athilakshmi was having Savings Bank account in Account No.27921008378. She has not nominated any person at the time of opening the account. It is further stated that the respondent had advised the petitioner to produce legal heirs certificate and succession certificate to consider his request and instead of producing those documents, the present Writ Petition has been filed.

5. Mr.C.Karthick, learned counsel appearing for the respondent would submit that if the petitioner produces the documents as required by the respondent, the respondent is ready to consider the request of the petitioner.

6. Considering the above submissions, the petitioner is directed to produce the required Certificates and on such compliance, the respondent shall consider the application of the petitioner and pass appropriate orders as expeditiously as possible.

7. With the above direction, this writ petition is disposed of. No costs. Consequently, connected W.M.P.(MD) No.962 of 2016 is closed.

Sd/-
Assistant Registrar (RTI)

/True Copy/

Sub Assistant Registrar

To

The Manager,
Canara Bank,
Tenkasi Road,
Alankulam Post,
Tirunelveli District.

+ 1 CC TO Mr.S.PALANI VELAYUTHAM, ADVOCATE IN SR No. 65834
+ 1 CC TO Mr.C.KARTHIK, ADVOCATE IN SR No. 65215

CM/GSP
TE/MR-KKR/SAR-I : 25/07/2017 : 2P/4C

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