



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Date : 10.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE **G.R.SWAMINATHAN**

W.P. (MD) No.267 of 2019

K.Kalaimani

... Petitioner

Vs

The Branch Manager,
State Bank of India,
Karaikudi Branch,
Subramaniyapuram 1st Street,
Karaikudi.

... Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the respondent to consider the petitioner's representation dated 14.08.2018 within stipulated time fixed by this Court and to disburse the entire maturity amount with interest in fixed deposit account bearing A/C.No.30436319268 maintained with respondent.

For Petitioner	: Mr.R.Manimaran
For Respondent	: Mr.Pala Ramasamy

ORDER

The petitioner's husband had fixed deposit in the respondent Bank. The petitioner's husband had passed away. The fixed deposit had also matured. The petitioner wants the respondent Bank to ensure the SB amount to her. But then the Bank has declined to do so. Therefore, the writ petition came to be filed.

2. When the matter was taken up for hearing, the learned Standing counsel appearing for the Bank stated that the petitioner's deceased husband was having one other wife. Therefore, the respondent Bank in order to safe guard their interest want the petitioner to produce not only legal heir certificate but also No Objection Certificate from the other woman.

3. I am therefore of the view that the petitioner will have to necessary file a Succession Original Petition before the Jurisdictional Court and get relief in the matter. The relief sought for by the petitioner cannot be granted in writ proceedings.



4. With liberty to the petitioner to move the Civil Court, the Writ Petition is closed. No costs

WEB COPY

Sd/-

Assistant Registrar ()

// True Copy //

Sub Assistant Registrar (CS)

rmk

+1CC TO MR.R.MANIMARAN, Advocate Sr. No. 60819

+1CC TO MR.PALA.RAMASAMY, Advocate Sr. No. 60175

W.P. (MD) No.267 of 2019

10.04.2019

DB (CO)

TR (10.05.2019) 2P 3C