

THE HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION Nos.7992 & 8058 OF 2019

DATED :17.04.2019

W.P.No.7992 of 2019

Between :

Sri G.A.Uday Kumar,
S/o.Late G.V.Anantha Padmanabham Naidu,
Aged about 57 yrs, R/o.H.No.1-9-285/3/5,
Vidyanagar, Hyderabad 500 044,
State of Telangana.

..

Petitioner

And

Union of India,
Rep., by Secretary,
Department of Posts,
Ministry of Communications,
Central Secretariat,
New Delhi 110 001 & others.

..

Respondents

W.P.No.8058 of 2019

Between :

Sri G.A.Uday Kumar,
S/o.Late G.V.Anantha Padmanabham Naidu,
Aged about 57 yrs, R/o.H.No.1-9-285/3/5,
Vidyanagar, Hyderabad 500 044,
State of Telangana.

..

Petitioner

And

The State Bank of India,
Rep., by its Chairman,
1819, Devdas, Kamalleg Block,
Synergy Building, Bandra Kurl a Complex,
Bandra East Mumbai-400 051 & another

..

Respondents

This court made the following :

THE HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION Nos.7992 & 8058 OF 2019

COMMON ORDER :

Heard learned counsel for petitioner, Sri N. Rajeswar Rao, learned Standing counsel for the Central Government and Sri B.S.Prasad, learned Standing Counsel for State Bank of India.

2. In both these writ petitions, petitioner claims that certain deposits are made in the Department of Posts by the mother and brother of the petitioner and they have also opened the account in State Bank of India, Vidyanagar Branch respectively. The mother and brother of the petitioner died and after their death, petitioner and his father filed O.S.No.1315 of 2018 on the file of VI Junior Civil Judge, City Civil Court, Hyderabad, to declare them as legal heirs of Smt G.A.Jayalaxmi and late G.Anantha Ravindra. Vide judgment dated 05.11.2018, the Civil Court decreed the suit declaring the petitioner and his father as the legal heirs of Smt G.A.Jayalaxmi and late G.Anantha Ravindra. After the decree, the father of petitioner also died on 11.02.2019. Petitioner therefore, caused legal notice on 25.02.2019 and 26.2.2019 respectively to the postal authorities as well as the Bank authorities requesting to deliver the amounts to petitioner.

3. Learned Standing counsel for State Bank of India, points out that even according to petitioner, there appears to be nomination granted in favour of the persons named in the legal notice.

4. Learned counsel for the petitioner fairly submits that petitioner is not asking to pay the amount to him only. He only wanted the bank authorities as well as postal authorities to verify the records and to decide the entitlement of petitioner to receive the amount lying in the postal account as well as the account in State Bank of India.

5. Thus, without expressing any opinion on merits on the claim of petitioner, the Writ Petitions are disposed of directing the competent authorities to consider the contents of legal notice dated 25.02.2019 and 26.02.2019 respectively and take a decision with reference to entitlement of petitioner to receive the amounts lying in the respective accounts. A decision shall be taken and communicated to the petitioner within a period of four (4) weeks from the date of receipt of copy of this order. Pending miscellaneous petitions, if any, shall stand closed.

P. NAVEEN RAO, J

17th April, 2019
Rds