

THE HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.18585 OF 2017

DATED :20.03.2019

Between :

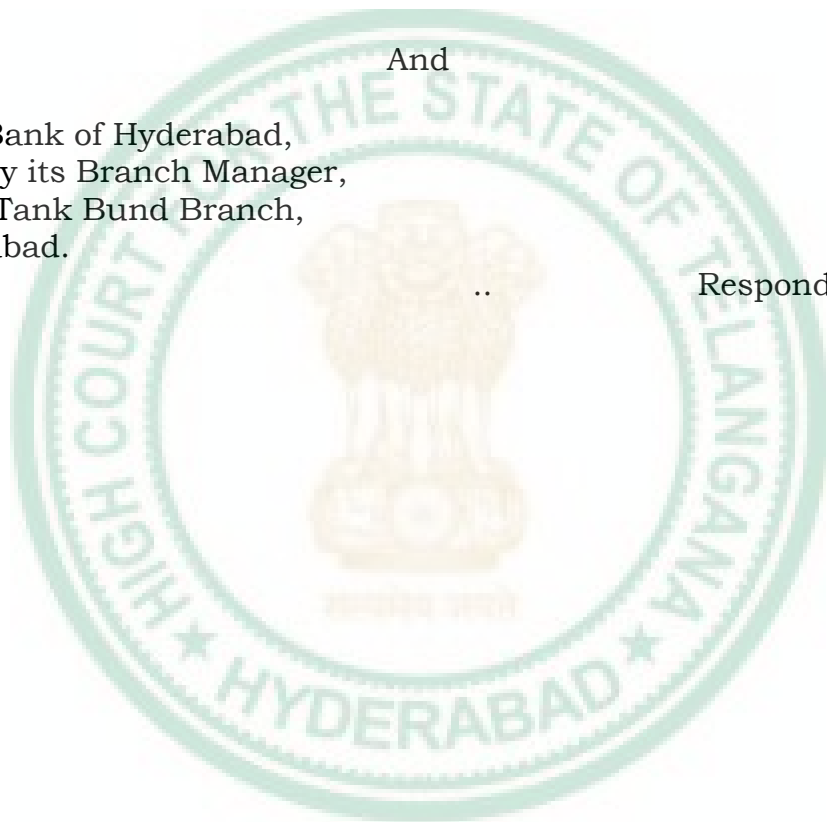
Sanjay S/o.Late Shivaram,
Aged about 42 yrs, Occu : Employee,
R/o.H.No.6-1-375/10,
New CIB Quarters, Khairtabad,
Hyderabad.

.. Petitioner

And

State Bank of Hyderabad,
Rep., by its Branch Manager,
Lower Tank Bund Branch,
Hyderabad.

.. Respondent



This court made the following :

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ORDER :

Heard learned counsel for petitioner and learned Standing counsel for the respondent-Bank.

2. Petitioner claims that his mother retired from service from Municipal Corporation of Hyderabad. All her retirement benefits and the pension amount are credited to her Savings Bank Account bearing No.52082269482, State Bank of Hyderabad, Lower Tank Bund Branch, Hyderabad. Petitioner claims that his mother is suffering with mental illness and undergoing treatment in SKS Neuro Polytrauma Hospital, Station Road, Kachiguda, Hyderabad, and she is unable to operate the bank account, as she does not recognize any person and take decision in view of her illness. Petitioner claims that the treatment requires huge amount of expenditure and therefore, he wants the Bank to allow him to operate and withdraw the amount lying in the account of his mother. Petitioner claims that he is the nominee of his mother.

3. Even according to learned counsel for petitioner, petitioner's mother is alive. Regarding her mental status, nothing is placed on record. Merely based on a representation made by a person who is not even a joint account holder, the Bank cannot be directed to permit the petitioner to operate the bank account, standing in the name of Smt. Shakuntala-mother of petitioner.

4. Thus, leaving it open to the petitioner to work out his remedies with reference to his entitlement to operate the bank account of a living person, who is stated to be not in good health, the Writ Petition is dismissed. Pending miscellaneous petitions, if any, shall stand closed.

20th March, 2019
Rds

P.NAVEEN RAO,J

