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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.09.2021

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.6493 of 2014

R.Mottayan

... Petitioner

Vs

The Branch Manager,
State Bank of India,
Kallakurichi, Kallakurichi Post and Taluk,
Villupuram District.

...Respondent

PRAYER : Writ Petition filed Under Article 226 of the Constitution of India, praying to issue a writ of mandamus, directing the respondent to return the balance amount in savings A/c. No.31713321232 of the petitioner's wife one Smt.Rangammal based on the representations dated 11.02.2012 and 28.03.2013.

For Petitioner : Mr.P.Rajavel

For Respondent : Mr.K.Chandrasekaran
(Vakalat not filed)

O R D E R

The relief sought for in the present writ petition is to direct the respondent to return the balance amount in savings bank account A/c. No.31713321232 of the petitioner's wife - Rangammal based on the representations dated 11.02.2012 and 28.03.2013.

2. Direction for return of amount from the savings bank account cannot be issued in a routine manner by this Court. Prima facie, it seems that there is a dispute for disbursement of the savings bank account amount.

3. The learned counsel for the respondent - Bank made a submission that the said Late Rangammal was not the legally



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wedded wife of the petitioner. The bank authorities conducted an enquiry and found that she has no children. The petitioner had not legally wedded the said Late Rangammal. Thus, the bank cannot return the balance amount to the petitioner.

4. If at all, the petitioner claims that the said Late Rangammal is the legally wedded wife, the petitioner has to approach the competent Court of law and get a declaration to that effect, failing which, the other Class-II legal heirs are entitled to get the amount, if they establish their rights in the manner known to law.

5. However, such a dispute regarding the succession cannot be adjudicated in a writ proceedings under Article 226 of the Constitution of India. Thus, the parties are at liberty to approach the competent Court of law for adjudication of the disputed issues.

6. With these observations, the writ petition stands dismissed. No Costs.

Sd/-

Assistant Registrar (CS-VIII)

// True Copy //

Sub Assistant Registrar

ars/mka

To

The Branch Manager,
State Bank of India,
Kallakurichi, Kallakurichi Post and Taluk,
Villupuram District.

+1CC to M/s.P.Rajavel, Advocate, SR.No. 50823

W.P.No.6493 of 2014

AD(CO)
B.VC (18/10/2021)