



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.12.2021

CORAM

THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

W.P.No.26565 of 2018

N.Mahalakshmi

... Petitioner

Versus

The Branch Manager,
Indian Overseas Bank,
Arakkonam Branch,
Arakkonam,
Vellore District.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, for the issuance of Writ of Mandamus, directing the respondents to consider the representation of the petitioner dated 05.04.2018 and consequently direct the respondent to settle the claim of the petitioner made in respect of the balance of amount available in the savings bank account of Late Padmavathy bearing account No.130001000000976 and in respect of the Bank safety locker.

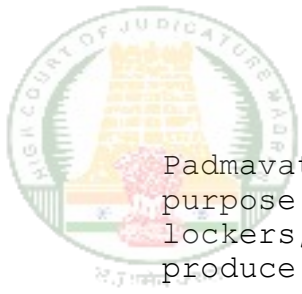
For Petitioner : M/S.D.Arun

For Respondent : Mr.F.B.Benjamin George

O R D E R

This writ petition has been filed, seeking for issuance of a Writ of Mandamus, to direct the respondents to consider the representation of the petitioner dated 05.04.2018 and consequently direct the respondent to settle the claim of the petitioner made in respect of the balance of amount available in the savings bank account of Late Padmavathy bearing account No.130001000000976 and in respect of the Bank safety locker.

2. The case of the petitioner is that the petitioner has made a representation to respondent-Bank dated 05.04.2018 to settle the balance amount lying in the Account of the deceased



Padmavathy who is none other than her mother-in-law. For the purpose of obtaining the deposit amount and to operate the bank lockers, the Bank-respondent instructed the petitioner to produce Legal Heir Certificate and other documents and consequently the petitioner has also produced the same viz., LR's certificate issued by the Competent Revenue Authority. Despite production of the same, the respondent has not taken any steps to settle the balance amount. Therefore, the petitioner has approached this Court.

3. Mr.F.B.Benjamin George, learned counsel for the respondent submits that the petitioner has not produced relevant documents such as "the Indemnity Bond". Further, the learned counsel for the respondent submits that the petitioner is supposed to produce Indemnity Bond and LR's Certificate as per the RBI regulations.

4. In reply, D.Arun, the learned counsel for the petitioner submits that the petitioner is also ready to produce the said documents.

5. Therefore, the petitioner is directed to file the relevant documents, to substantiate that she is the only LR's of deceased Padmavathy and also produce Indemnity Bond and on such production of documents, the respondent shall consider the same to settle the balance amount in her favour. In the event, any person claiming as Legal Heirs of Padmavathy in future, the respondent is at liberty to take appropriate legal action, and the petitioner shall return the amount back to the Bank until the disputes in LR's is resolved.

6. With the above directions, this Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar (CS-IX)

//True Copy//

Sub Assistant Registrar

jd



To:

The Branch Manager,
Indian Overseas Bank,
Arakkonam Branch,
Arakkonam,
Vellore District.

+1cc to M/s.D.Arun, Advocate, S.R.No.66747

+1cc to M/s.F.B.Benjamin George, Advocate, S.R.No.67287

W.P.No.26565 of 2018

KSM(CO)
SU(07/01/2022)