



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.07.2021

CORAM :

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD) .No.10870 of 2021

and W.M.P. (MD) .No.8495 of 2021

S.Sakunthala

... Petitioner

Vs.

- 1.The President,
Karur Vysya Bank,
Erode Road L.N.Post,
Karur - 639 002.
- 2.The Chief General Manager,
Karur Vysya Bank,
Erode Road, L.N.Post,
Karur - 639 002.
- 3.The Manager,
Karur Vysya Bank,
Musiri Branch,
No.29, Opp. To Alva Hospital,
Thuraiyur Main Road,
Musiri, Tiruchirappalli Dist.
Tamil Nadu - 621 211.

4.Radhamani

5.Subramania Siva

6.Chandramouliswaran

7.C.Sangamithirai

8.S.Meenakumari

... Respondents

Prayer: This Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 3 herein not to effect any payment to the respondents 4 to 6 herein from the Savings Bank Account No.11661730000012 and fixed deposit No.3605523875 at Musiri Branch of Karur Vysya Bank Ltd., maintained by the petitioner's later father with the 3rd respondent without duly making valid legal share of payment to the petitioner and her sisters.

For Petitioner

: Mr.K.Rajasekaran

ORDER

This writ petition has been filed for the issue of Writ of Mandamus directing the respondents Bank not to effect any payment in favour of the respondents 4 to 6 from the Savings Bank Account that



was maintained by the late father of the petitioner.

2.Heard Mr.K.Rajasekaran, learned counsel appearing for the petitioner.

3.In the considered view of this Court, the nature of relief that has been sought for by the petitioner cannot be granted by this Court. According to the petitioner, her mother is attempting to take away the entire money from the Savings Bank Account and is going to part with the same to her brothers and thereby, deprive the share of the petitioner and her sisters. The Bank has to necessarily hand over the money only to the person who has been appointed as a nominee by the Account Holder. The Bank cannot decide the *inter-se* dispute between the petitioner and respondents 4 to 8. If ultimately the nominee who receives the money does not hand over the share of the petitioner, the petitioner has to work out her remedy only before the appropriate civil Court. Except giving this clarity, no further orders can be passed in this writ petition.

4.This writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TM

NOTE:

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

The Manager,
Karur Vysya Bank,
Musiri Branch,
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