



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.12.2021

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P(MD)No.19788 of 2021

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Annathai

... Petitioner

Vs.

1.The Postal Superintendent,
Superintendent head post office,
Pudukottai,
Pudukottai District.

2.Post Master,
Pudukottai Post Office,
Pudukottai.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents no.1 and 2 to disburse petitioner's husband Visuvasam saving money of Rs.7 lakh from his postal saving account vide Account No.581, Pudukottai Post Office, Pudukottai to petitioner and her daughter Jenisha, on the basis of the petitioner's representation dated 18.10.2021.

For Petitioner : M/s.Porkodi
for M/s.T.Indrachithu

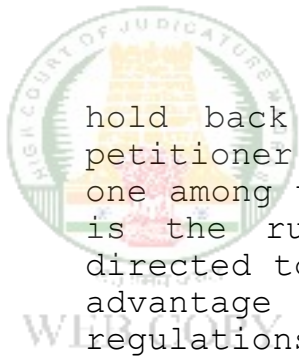
For Respondents : Mrs.L.Victoria Gowri,
Assistant Solicitor General of India.
for R1 & R2.

ORDER

I must express regret that the order dated 16.11.2021 does not contain the actual facts and it was passed on the impression that the petitioner's husband was actually an employee of the first and second respondents.

2. It is clarified and brought to the knowledge of this Court by Mrs.L.Victoria Gowri, learned Assistant Solicitor General of India that the husband of the petitioner was not actually an employee but rather had opened postal savings account of a particular nature with the respondents and on his death, the petitioner now seeks the amount which has accrued to that particular account to be paid to her as legal representative.

3. It is also informed by the learned Assistant Solicitor General of India that the respondents will certainly not willfully



hold back the amount but an obligation is also placed on the petitioner to comply with the necessary rules and regulations and one among them is the production of Succession Certificate. If that is the rule under which the first and second respondents are directed to work, then it is only appropriate that anybody who takes advantage of their schemes also abides to such rules and regulations.

4. In this case, the petitioner and her husband should naturally abide by whatever rules and regulations are put in place by the first and second respondents. It is not that the said rules are aimed solely on the petitioner alone, but they are rules which have to be followed by everybody.

5. Accordingly, the petitioner may take a considered decision to obtain a Succession Certificate and I am confident that if such step is taken and the said Succession Certificate is produced before the respondents, without any further demur or delay, the respondents would disburse the amounts to the petitioner herein.

6. With the said observations, this Writ Petition is disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar (CS I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Lm/Nsr

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

1.The Postal Superintendent,
Superintendent head post office,
Pudukottai, Pudukottai District.

2.Post Master, Pudukottai Post Office,Pudukottai.

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