



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.02.2022

CORAM

THE HONOURABLE MR. JUSTICE M.GOVINDARAJ

W.P.No.31849 of 2014

Dr.Champakam

...Petitioner

Vs.

1.The Reserve Bank of India
Rajaji Salai, Chennai-600 001

2.HSBC Bank
Rajalakshmi Palace,
43, I Main Road
Gandhi Nagar,
Adyar, Chennai-20

3.N.Gayathri

...Respondents

PRAYER: The Writ Petition has been filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the first respondent to issue appropriate directions or orders to the second respondent to furnish the Petitioner necessary particulars relating to the amount lying with the 2nd Respondent bank to the credit of the deceased either in the form of SB Account or by way of fixed deposits so as to enable to obtain the necessary succession certificate.

For Petitioner	:	Ms.Jayashree Narasimhan
For Respondents	:	Mr.Sashank P.S for R2 Mr.A.Palaniappan for R3

O R D E R

Petitioner is the mother of one Vasanth and 3rd respondent is the wife. The said Vasanth died leaving behind the petitioner as well as the 3rd respondent as his legal heirs. For the purpose of getting Succession Certificate, the petitioner has approached the 2nd respondent bank for getting the details of the accounts held by her son Late Vasanth and the amounts available in the said accounts.

2. By letter dated 03.09.2014, the 2nd respondent bank has declined the request on the ground that the information cannot be disclosed to third parties. Aggrieved by the same, the



petitioner has approached this Court for a direction for disclosing the details of amounts lying in the accounts of her Late son.

3. Admittedly, the account holder Vasanth is no more. The legal heir certificate is produced showing the petitioner as well as the 3rd respondent as legal heirs. For taking the money out of the bank it is necessary that a Succession Certificate should be obtained. In such circumstances, the 2nd respondent bank cannot decline the request to disclose the details of bank accounts had by Late Vasanth with the 2nd respondent bank and amount lying therein.

4. Considering the facts and circumstances of the case, a direction is given to the 2nd respondent bank to furnish all the account details which were held by Late Vasanth with the 2nd respondent bank to the petitioner and a copy of the same to the third respondent/wife of the account holder. The 2nd respondent shall furnish the same to the petitioner and the 3rd respondent within a period of two weeks from the date of receipt of a copy of this order. Writ petition is disposed of in the above terms. There shall be no order as to costs.

Sd/-

Assistant Registrar (CS-IX)

//True Copy//

Sub Assistant Registrar

To

1.The Reserve Bank of India
Rajaji Salai, Chennai-600 001

2.HSBC Bank
Rajalakshmi Palace,
43, I Main Road
Gandhi Nagar,
Adyar, Chennai-20

+1 CC to M/s.N. Jayashree, Advocate SR. No. 7665
+1 CC to M/s. R & P Partners, SR. No. 7962.

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SJ(CO)
SP(08/02/2022)