



W.P.(MD) No.2836 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.08.2022

CORAM:

THE HON'BLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD) No.2836 of 2020

and

W.M.P.(MD) No.2398 of 2020

Mariasoosai

.. Petitioner

Vs

1.The General Manager,
Southern Railway,
Chennai Regional Office, Chennai.

2.The Managing Director,
Southern Railway Employees'
Co.Op. Credit Society Ltd.,
Rail Co op Mansion,
Dindigul Road, Trichy-1.

3.Amirtham

.. Respondents

Prayer :- Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus directing the second respondent to disburse the Petitioner's son Edward Francis Share Certificate amount with accrued amount to the petitioner within time stipulated by this Court.



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For Petitioner : Mr.V.Muthumani
For Respondents : No appearance for R1 & R2
: Tapal returned for R3

ORDER

Heard the learned counsel for the petitioner. There is no appearance on the side of respondents 1 and 2. The third respondent has been served privately.

2. The petitioner's son viz., Edward Francis passed away on 14.06.2018. The third respondent is his wife. The case of the petitioner is that his son had taken shares with the second respondent. It is further claimed that the petitioner has been shown as the nominee. He wants the Share Certificate amount with accrued interest.

3. It is true that the petitioner is the nominee and the amounts have to be disbursed to the writ petitioner. But the petitioner cannot retain the entire amount. He has to distribute the same to the other legal heirs. The petitioner, through his counsel, states that he would be satisfied if 2/3rd of



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the amount with accrued interest is paid to him, while the remaining amount can be given to the third respondent.

4. Recording the said submission, the second respondent is directed to pay the petitioner's 2/3rd share together with accrued interest. This shall be done within a period of four weeks from the date of receipt of a copy of this order.

5. This Writ Petition is allowed on the above terms. No costs. Consequently, connected miscellaneous petition is closed.

16.08.2022

Index : Yes/No
Internet : Yes

abr



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G.R.SWAMINATHAN, J.

abr

To

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Southern Railway,
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