



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.06.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P (MD) No.8722 of 2022

Kannammal

... Petitioner

Vs.

1.The Manager,
Bharat Heavy Electricals Employees
Co-operative Bank Limited,
Post Office & Bank Road,
BHEL, Trichy Township,
Kailasapuram, Thiruverumbur,
Trichy.

2.The Branch Manager,
State Bank of India,
Bharat Heavy Electricals,
B.Sector, BHEL,
Trichy Township,
Kailasapuram,
Trichy.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents bank authority to pay the amounts covered under the above fixed deposits along with interest to the petitioner on the basis of the petitioner's representation dated 01.02.2022 within the time stipulated by this Court.

For Petitioner : Mr.B.Jameel Arasu
For Respondents : Mr.V.P.Rajan for R2
No appearance for R1

ORDER

Heard the learned counsel for the writ petitioner and the learned counsel for the second respondent. Though the first respondent has been served, there is no appearance on their behalf.

2.The petitioner's husband/Pitchai passed away on 30.12.2016. The petitioner came to know that her husband had deposited certain sums of money with the first respondent/bank as well as the second respondent/bank. When she approached them, they did not refund the deposit amount with interest. That led to filing of the present



writ petition.

3. When the matter was taken up for hearing, the learned counsel for the second respondent/bank submitted that late. Pitchai had created three fixed deposits with the second respondent. In respect of one deposit alone, he had nominated his son namely, Anguveerapandian as nominee. In respect of other two deposits, he has not named any person as nominee. The bank has to adhere to certain formalities in the matter of refund of the deposit amounts. If the petitioner fulfills the said formalities, the second respondent is ready to return the deposit amount to the petitioner without any delay.

4. Taking note of the said submission, the following directions are issued to the respondents:-

"(a) The petitioner shall obtain legal heir certificate from the jurisdictional Tahsildar.

(b) The petitioner shall obtain no objection certificate in the prescribed format which is available with the respondents from the other legal heir/heirs.

(c) Thereafter, the petitioner shall approach the respondents. If the petitioner is able to produce the legal heir certificate and no objection certificate from the other legal heir/heirs, the respondents bank shall return the deposit amount to the writ petitioner without any delay."

5. The writ petition is disposed of with the above directions. No costs.

Sd/-

Assistant Registrar(CS-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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TO

1. The Manager,
Bharat Heavy Electricals Employees
Co-operative Bank Limited,
Post Office & Bank Road,
BHEL, Trichy Township,
Kailasapuram, Thiruverumbur,
Trichy.

<https://hcservices.ecourts.gov.in/hcservices/>



2.The Branch Manager,
State Bank of India,
Bharat Heavy Electricals,
B.Sector, BHEL,
Trichy Township,
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Trichy.

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