



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.02.2023

CORAM

THE HON'BLE Mr. JUSTICE **C.V.KARTHIKEYAN**

W.P.No.8101 of 2022

and

W.M.P.Nos.8092 & 8093 of 2022

Saroja Srinivasan

.. Petitioner

Vs.

1.The Bank Manager,
State Bank of India,
No.63, Second Main Road,
Gandhi Nagar, Adyar,
Chennai – 600 020.

2.T.P.Ramkumar

3.Kausalya Ramkumar

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 1st respondent to convert the Account No.38178368684 from Joint Account to a single operating Account in the name of the petitioner and to change the address for communication for Account No.38178368684 from No.20/2, First Canal Cross Street, 'Hamsatvani', Gandhi Nagar, Adyar, Chennai - 600 020 to No.52, Cluny First Main Road, Rajaji Nagar, Lawspet, Puducherry – 605 008.



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For Petitioner

.. Mr.R.Thiagarajan

For R1

.. Mr.K.Chandrasekaran

ORDER

This writ petition has been filed in the nature of Mandamus, seeking a direction to the 1st respondent, Branch Manager, State Bank of India, Gandhi Nagar, Adyar, Chennai, to convert the Account No.38178368684 from Joint Account to a single operating account only in the name of the petitioner and also to change the address for communication.

2.In the affidavit filed in support of the writ petition, it had been stated by the petitioner herein that her husband T.K.Srinivasan, was working as a Sales Manager with India Cements Ltd and after his retirement in 1993, she resided at Puducherry. Her husband died on 28.05.2018. The petitioner was his class - I heir. He had made investments in Indian Bank and Indian Overseas Bank. The petitioner had transferred the monies from Indian Bank and Indian Overseas Bank to the Federal Bank and Bank of India at Adyar Branch, Chennai.



3. Thereafter, the 2nd respondent had offered to assist the petitioner and the petitioner transferred the account from Federal Bank and Bank of India to State Bank of India, Gandhi Nagar Branch, Adyar, Chennai. The entire amount was deposited in the said account. Thereafter, in State Bank of India at Gandhi Nagar, a joint account was opened in the name of the petitioner and in the name of the 2nd respondent and the 3rd respondent was added as a nominee to all these accounts. The petitioner claimed that this was done without her knowledge.

4. The petitioner is under an apprehension that the 2nd and 3rd respondents would withdraw the money and misappropriate the monies in the account. The petitioner had submitted several requests to the 1st respondent, but since there was no response from the 1st respondent, the present writ petition has been filed.

5. A direction is given to the 1st respondent to examine the representation given by the petitioner and it is directed that without the signature of the petitioner, no amount should be permitted to be withdrawn. The 1st respondent may then invite the petitioner, the 2nd and 3rd respondents



and in their presence examine the issues and if the amounts are the monies of the petitioner, convert the joint account to a single operation account in the name of the petitioner herein. But, however, to offer protection to the petitioner, who is a senior citizen and also a widow, let there no be any further withdrawal from the account by either the 2nd respondent or the 3rd respondent. Let the issues be first settled and thereafter the operation of the account may be conducted.

6. With the above observations, this Writ Petition stands disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.

09.02.2023

Index: Yes/No
Internet: Yes/No
smv

To

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Gandhi Nagar, Adyar,
Chennai – 600 020.



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C.V.KARTHIKEYAN,J.

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