



WEB COPY



W.P.No.14840 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.06.2023

CORAM

THE HONOURABLE MR.JUSTICE **M.DHANDAPANI**

W.P.No.14840 of 2023

Nashima

.. Petitioner

Versus

1.The Tahsildar
Saidapet Taluk
Chennai

2.Indian Overseas Bank
Rep by its Manager
Saidapet Branch
Chennai

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Declaration, declaring the names “Muthamma” and “Rahamath” is revealing one and the same person and direct the 2nd respondent to provide the savings amount in SB Account No.030701000066007, IFSC – IOBA0000307 and Fixed Deposit amount vide Account No.030704600003616 to and close the bank account.

For Petitioner : Mr.Jai Ganesh

For Respondents : Mr.V.Manoharan for R1
Additional Government Pleader



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ORDER

The present Writ petition has been filed seeking to declare the names “Muthamma” and “Rahamath” as one and the same person and direct the 2nd respondent to provide the savings amount in SB Account No.030701000066007, IFSC – IOBA0000307 and Fixed Deposit amount vide Account No.030704600003616 to and close the bank account.

2. The case of the petitioner is that the petitioner's mother namely Muthamma was known as Rahamath in their locality. In all the Government records, her mother name stands as Muthamma. While so, all of a sudden, her mother fell sick and at the hospital, she was named as Rahamath and subsequently, she parted away and the death certificates endorses the name of her mother as Rahamath. Further, as the petitioner is the sole legal heir, she approached the second respondent bank for withdrawing her mother's money. However, the same was rejected stating that the death certificate differs from their record. Hence, the petitioner filed this writ petition.

3. Heard the learned counsel for the petitioner and perused the materials placed on record. Since, no adverse order is passed against the



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M.DHANDAPANI, J.

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To

1.The Tahsildar
Saidapet Taluk
Chennai

2.The Manager
Indian Overseas Bank
Saidapet Branch
Chennai

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