



W.P.No.32303 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.04.2023

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

**W.P.No.32303 of 2022
and
W.M.P.No.10307 of 2023**

1. Tmt.Poquile @ Selvi

2. Tmt.Punitha @ Mangavaram

... Petitioners

Vs.

1. The Senior Superintendent of
Post Office, Pondicherry Division,
Head Post Office,
Puducherry - 605 001.

2. The Post Master,
Mudaliarpur Post Office,
Puducherry - 605 004.

3. The Post Master,
Nellithope Post Office,
Puducherry - 605 005.

4. R.Ranjith

... Respondents



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PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the respondents 2 and 3 to release 2/3rd share of the petitioners payable to the petitioners, from the savings account number of the petitioners' father Aricovindane @ Arumugam at Mudaliarpet Post Office and Nellithope Post Office.

For Petitioners : Mr.M.Gnanasekar
For Respondents : Mr.C.Samivel
Senior Central Govt. Standing
Counsel for R1 to R3
Mr.M.Vaikunth for R4

ORDER

This Writ Petition is filed seeking to direct the respondents 2 and 3 to release 2/3rd share payable to the petitioners, from the savings account number of the petitioners' father Aricovindane @ Arumugam at Mudaliarpet Post Office and Nellithope Post Office.

2. The learned counsel appearing for the petitioners would submit that the petitioners' father had deposited more than Rs.13,00,000/- in the respondents 2 and 3 Post Office and the petitioners' father died leaving behind the petitioners and the fourth respondent as his legal heirs. The fourth respondent is none other than the petitioners brother's son and he is



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also entitled for the share equally. Hence, this Court, may issue a direction to the respondents 2 and 3 to disburse the desposited amount by their father equally to the petitioners as well as fourth respondent.

3. The learned counsel for the fourth respondent has no serious objection for such an order being passed by this Court.

4. The learned Senior Central Government Standing Counsel appearing for the official respondents would submit that the respondents 2 and 3 will hold enquiry and upon satisfaction of the Legal Heirship Certificate produced by the petitioners and the fourth respondent, the amount would be disbursed equally to the petitioners and the fourth respondent.

5. Heard learned counsel appearing on either side and perused the materials placed before this Court.

6. In view of the fair submission made by the learned Senior Central



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Government Standing Counsel, this Court is inclined to issue a direction to the official respondents to hold enquiry and thereafter to disburse the deposited amount to the petitioners as well as the fourth respondent equally upon satisfaction of the Legal Heirship Certificate produced by the petitioners as well as the fourth respondent. The said exercise is to be completed within a period of six weeks from the date of receipt of a copy of this order.

7. With the above directions, the Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

21.04.2023

NCC: Yes / No
Index : Yes / No
Speaking Order : Yes / No

vji



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To

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2. The Post Master,
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