



W.P.No.17920 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.06.2023

CORAM

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

W.P.No.17920 of 2023

Tmt.Samiyathal

. . . Petitioner

Vs.

1. The Branch Mangager,  
Erode Branch Office,  
D-48, State Bank Road,  
Erode-638 001.

2. The Secretary,  
Ministry of Finance,  
Banking Division,  
New Delhi.

. . . Respondents

**Prayer:** Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 1<sup>st</sup> respondent State Bank of India, Erode Branch to release the amount based on the Representation dated 12.12.2022 to the petitioner being the legal representative of the A.Ramasamy who had been appointed as nominee in the deposit initiated by late K.Thangaiammal, dated 24.02.2022 within time frame fixed by this Court.



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For petitioner : M/s.S.Kaithamalai Kumaran

### **ORDER**

This Writ Petition has been filed for a direction to the 1<sup>st</sup> respondent to release the amount to the petitioner based on his representation dated 12.12.2022 within the time frame fixed by this Court.

2. It is the case of the petitioner that one K.Thangaiammal who left her husband 50 years ago, had been taken care of by her sister's son Ramasamy. The said Thangaiammal had opened a Fixed Deposit Account for a sum of Rs.2,90,000/- on 24.02.2022 by appointing said Ramasamy as her nominee. However, said Thangaiammal predeceased her nominee Ramasamy. After the demise of said Ramasamy, the petitioner herein the wife of Ramasamy made a representation dated 12.12.2022 to the 1<sup>st</sup> respondent seeking to refund the deposit amount in her favour along with all necessary documents, for which, the 1<sup>st</sup> respondent has sent a reply stating that since the depositor had predeceased the nominee, only the legal heirs of the depositor would be entitled to get back the deposit amount and also



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directed to the obtain the Succession certificate. Aggrieved by the same, the petitioner is before this Court.

3. Though very many grounds have been raised, however, learned counsel for the petitioner submits that it would suffice if this Court issues a direction to the Respondent to consider the petitioner's representation dated 12.02.2023 seeking to release the deposited amount lying in the Fixed Deposit Account of said K.Thangaiammal and pass orders on merits within the time that may be stipulated by this Court.

4. In view of the limited relief sought for by the petitioner, this Court without going into the merits of the case, directs the respondent to consider the petitioner's representation dated 12.02.2023 seeking to release the deposited amount lying in the Fixed Deposit Account of said K.Thangaiammal and pass appropriate orders in accordance with law, within a period of four weeks from the date receipt of a copy of this order, after hearing the legal heirs, if any of the deceased K.Thangaiammal.

5. This Writ Petition stands disposed of with the aforesaid



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direction. There shall be no order as to costs.

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Index : Yes / No

Internet : Yes / No

NHS

To

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D-48, State Bank Road,  
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**M.DHANDAPANI, J**



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