



W.P(MD)No.12745 of 2015

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.07.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.12745 of 2015

Palani Ravichandran

... Petitioner

Vs

The Branch Manager,
State Bank of India,
Ramanathapuram Branch,
Ramanathapuram Town & District.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondent herein to disburse the amount lying with them in the petitioner's father's SB A/C No. 10776970562 to the petitioner herein within a stipulated period.

For Petitioner : Mr.M.Thirunavukkarasu

For Respondent : Mr.K.M.Vijaiya Kumar

ORDER

Heard the learned counsel on either side.



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2. The writ petitioner's father was having account in the respondent bank. He passed away on 11.09.2013. The petitioner is making his claim on the amount lying in the father's bank account on the strength of registered Will (Document No.22/ 2000).

3. It appears that the petitioner's father was having another wife apart from the petitioner's mother. In these circumstances, the petitioner has to necessarily move the jurisdictional civil Court by filing Succession Original Petition. He may have to implead the respondent bank as well as the other contestants as respondents. The respondent bank can disburse the amount based on the decision to be rendered by the civil Court. If the petitioner files any such Succession Original Petition before the jurisdictional civil Court, the same shall be disposed of on merits and in accordance with law within a period of six months thereafter.

4. This writ petition is disposed of accordingly. There shall be no order as to costs.

14.07.2023

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
MGA



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G.R.SWAMINATHAN, J.

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