



W.P(MD)No.19869 of 2015

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 26.07.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.19869 of 2015

1.Veluchamy

2.Isakkiammal

3.Samuthiram

... Petitioners

Vs.

1.The Senior Superintendent of Post,
Kovilpatty Division,
Thoothukudi District.

2.The Sub Postmaster,
Karivalam Vanthanallur,
Tirunelveli District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the 1st and 2nd respondents to consider the petitioner's representation dated 03.08.2015 to permit to withdraw their share amount on their deceased mother saving amount of Rs.30,422/- vide Account No. 716048 from the 2nd respondent.

For Petitioners : no appearance

For Respondents : Mr.K.Manikandan



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ORDER

None appears for the writ petitioner.

2. The learned standing counsel for the respondent filed counter affidavit. It is seen therefrom that one Pallammal opened the petition mentioned savings bank account with the second respondent. Pallammal is no more. She was a spinster. The writ petitioners are her siblings. When the petitioners approached the second respondent for withdrawing the amount lying to the credit of the savings bank account, another sibling by name Kadarkarai objected. In these circumstances, the petitioners have only two options before them.

(I) Firstly, they can produce the legal heir certificate of the deceased Pallammal and all the legal heirs can jointly approach the respondents for disbursement.

(II) In the alternative, the petitioners have to file succession OP before the jurisdictional civil Court and obtain direction in their favour.



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3. Filing this writ petition is misconceived. Granting liberty to the petitioner to adopt either one of the course of action mentioned above, the writ petition is dismissed. No costs.

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NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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G.R.SWAMINATHAN, J.

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