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W.P No.15300 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.06.2024

CORAM:

THE HON'BLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P No.15300 of 2022

Rev. Sr. Police (a) T.J.Mary
Mother Superior
"MERCY HOME"
Presently residing at: "MERCY HOMES"
No.64, Halls Road, Kilapuk
Chennai-10.

... Petitioner

Vs.

The Manager,
State Bank of India,
Kilpauk Branch,
Kilpauk,
Chennai.

... Respondent

PRAYER : Writ Petition filed under Article 226 of Constitution of India
for issuance of Writ of Mandamus directing the respondent to open an
account in the name of the Intellectually Disabled Child Papphas.

For Petitioner	: Mr.C.D.Johnson
For Respondents	: No Appearance

ORDER

This Writ Petition has been filed for a direction directing the
respondent to open an account in the name of the intellectually disabled
child Papphas and permit the petitioner to operate the same.

2. Heard the learned counsel appearing for the petitioner



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and perused the materials available on record.

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3. The petitioner is serving as Mother Superior in the Mercy Homes situated at No.64, Halls Road, Kilpauk, Chennai. This Home is exclusively meant for poor, orphan, destituted, elderly sick and old age people abandoned by their family. There are nearly 160 inmates in the Home and they are receiving rations, medicine, pension from the State Government. Out of 160, some persons are literally sick, bed-ridden and taken care by the petitioner. Therefore, the petitioner applied for a grant from the Government of Tamil Nadu. Now, the authorities concerned are seeking bank record in any nationalised bank.

4. A minor boy was admitted into the petitioner's home. He had some intellectual disability and as such he was not conversant however he could speak. Further he possessed Aadhar Card. On verification of Aadhar Card, his name is reflected as Papphas and his date of birth is shown as 22.02.1997 and his parents name was also mentioned in the Aadhar Card with address. However, no one has come forward to take back the child. In order to get some grant for the said child, the petitioner approached the bank to open an account. However,



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the respondent has not considered the request made by the petitioner.

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5. Considering the facts and circumstances of the case, the respondent Bank is directed to consider this case as a special one and open an account in the name of Papphas and permit the petitioner to operate the account on behalf of the said Papphas.

6. With the above directions, this writ petition stands disposed of. No costs.

24.06.2024

Index:Yes/No

Internet : Yes/No

Speaking/Non-speaking order

Neutral Citation : Yes/No

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To

The Manager,
State Bank of India,
Kilpauk Branch,
Kilpauk,
Chennai.

G.K.ILANTHIRAIYAN,J.



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