



W.P.(MD)No.5166 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.04.2024

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD)No.5166 of 2024 &
W.M.P(MD)No.4955 of 2024

1.P.Mariaselvi
2.S.M.Sunnimon
3.S.M.Vennimon

... Petitioners

vs.

The Regional Manager,
State Bank of India,
Regional Business Office-5,
24, G.K.N.Building,
North Car Street,
Nagercoil - 629 001,
Kanyakumari District.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondent to issue all terminal benefits accrued on the service of the first petitioner's husband C.K.Sasi who worked as Security Guard in the respondents office with interest.

For Petitioner : Mr.S.Titus

For Respondent : Mr.M.Ponniah
Standing Counsel



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ORDER

Heard Mr.S.Titus, learned counsel for the petitioners and Mr.M.Ponniah, learned Standing Counsel for the respondent.

2. The petitioners are the legal heirs of the late C.K.Sasi, who was employed as a security guard in the office of the respondent Bank and C.K.Sasi died on 06.05.2018. The petitioners have filed this petition praying to issue a writ of mandamus directing the respondent to grant them all terminal benefits accrued on the service of C.K.Sasi with interest.

3. Mr.S.Titus, learned counsel for the petitioners submitted that the petitioners were declared as the legal heirs of the deceased C.K.Sasi by virtue of a decree dated 08.02.2022 passed by the District Munsif, Kuzhithurai in O.S.No.27 of 2019. The grievance of the petitioners is that the terminal benefits of C.K.Sasi were not settled inspite of repeated representations. One such representation was made on 09.06.2022. Though, the respondent Bank gave a reply on 07.07.2022, till date the terminal benefits of the late C.K.Sasi were not disbursed to them.



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4. Mr.M.Ponniah, learned Standing Counsel appearing for the respondent Bank submitted that since the petitioners are declared as the legal heirs of late C.K.Sari, the respondent Bank will settle whatever terminal benefits for which C.K.Sasi was entitled to. But, C.K.Sasi had availed a loan and the outstanding due towards the said loan is still pending. Being the legal heirs of the late C.K.Sasi, it is the liability of the petitioners to settle the same.

5. The petitioners who are the legal heirs of late C.K.Sasi, will have a binding over his assets and liabilities. It is their responsibility to settle the outstanding due towards the loan obtained by the late C.K.Sasi from and out of the property that might be inherited to them. As the petitioners claim terminal benefits as legal heirs of C.K.Sasi, which is also a kind of inheritance, they are liable to settle the outstanding due towards loan from the terminal benefits to be received by them.

6. In view of the above, this writ petition is **disposed of** and the respondent is directed to issue terminal benefits of late C.K.Sasi to the



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petitioners after deducting the outstanding due towards the loan obtained by the late C.K.Sasi. No costs. Consequently, the connected Miscellaneous Petition is closed.

03.04.2024

NCC: Yes/No
Index : Yes/No
Speaking/Non-Speaking order

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R.N.MANJULA, J.

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