



W.P(MD)No.7221 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.03.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.7221 of 2024

Manoharan

... Petitioner

Vs.

The Branch Manager,
State Bank of India,
Narayanapuram Branch,
Madurai.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent to disburse the cash deposits, proceeds in locker, bond amount if any and other valuable things to the legal heirs of A.Late.Muthulakshmi maintained in Account No. 31417892362 and other accounts by considering the petitioner's representation dated 12.03.2024.

For Petitioner : Mr.M.Jerin Mathew

For Respondent : Mr.V.P.Rajan,
Standing Counsel.



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ORDER

Heard both sides.

2.One Muthulakshmi is said to have passed away. The petitioner claims to be her brother. They are siblings. The petitioner apprehends that the bank may hand over jewels / deposits to one class II legal heir alone. It is well settled if the deceased has not left any Will, the estate has to devolve equally on all the legal heirs. Even if there is a nominee, the nominee is in the position of trustee and the nominee's duty is to distribute the profits equally among all the legal heirs. Nothing stops the petitioner from moving jurisdictional Civil Court for appropriate relief. It is not possible for this Court to issue any specific direction in this writ petition. I can only make broad observations.

3.This writ petition is disposed of accordingly. No costs.

25.03.2024

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

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