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W.P.(MD)NO.6945 OF 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.07.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.6945 of 2024 AND

W.M.P.(MD)No.6945 of 2024

S.Saraswathi

... Petitioner

Vs.

1. The Manager,
Union Bank of India,
A.Velangudi, Main Road,
Kandavarayan Patti-via,
Tirupathur Taluk,
Sivagangai District – 630 203.

2. Sangeetha

(R-2 is impleaded vide order dated 05.04.2024
in W.M.P.(MD)No.6944 of 2024)

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent to close the Savings Bank Account No.182622010000538 of the petitioner's husband viz., Shanmugam and to close the jewel loans after receiving the loan amount and to release the amount available with the said account to the petitioner by considering the petitioner's representation dated 30.01.2024 within the time stipulated by this Court.

For Petitioner : Mr.I.Robert Chandra Kumar

For R-1 : Mr.S.Balasubramanian,
Special Government Pleader.

For R-2 : Mr.M.Murali

* * *

**ORDER**

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Heard both sides.

2. The petitioner got married to one Shanmugam. He was working as Sub Inspector of Police. He retired in the year 2022 and died recently. The petitioner's husband had a jewel loan account with the first respondent bank. The petitioner wants this Court to direct the bank to close the same after receiving the loan amount and hand over the pledged items. One Sangeetha was shown as a nominee and she got herself impleaded as second respondent.

3. The question that calls for consideration is whether the writ petition deserves to be allowed.

4. The petitioner is said to have filed S.O.P.No.1 of 2024 before the Sub Court, Sivagangai against the bank as well as the said Sangeetha.



5. When Sangeetha has been shown as a nominee, the bank is obliged to honour the nomination. But then, the rights of the parties will have to abide by the outcome of SOP. In this view of the matter, no relief can be granted in this writ petition. This writ petition stands dismissed. The learned Sub Judge, Sivagangai is directed to dispose of S.O.P.No.1 of 2024 on merits and in accordance with law within a period of seven months from the date of receipt of a copy of this order. Consequently, connected miscellaneous petition is closed.

02.07.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
PMU

**Note : Registry to mark a copy of this order to
the learned Sub Judge, Sivagangai.**

Copy to:

**The Sub Judge,
Sivagangai.**



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4

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G.R.SWAMINATHAN,J.

PMU

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