



W.P.(MD) No.22148 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.09.2024

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.(MD) No.22148 2024

1.R.Sureshkumari
2.R.Sivabalan
3.R.Shivatharani

...Petitioners

-vs-

The Branch Manager,
State Bank of India,
Singampunari Branch,
Sivagangai District.

...Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a writ of Mandamus, directing the respondent to permit the petitioners to operate (Late) Rajamarthandam's savings Bank Account in A/c.No.11173308084 and locker No.A18 maintained at the respondent bank and settle the same to the petitioners by considering the representation dated 28.08.2024.

For Petitioners : Mr.T.Veerakumar
For Respondent : Mr.N.Dilip Kumar
Standing Counsel



W.P.(MD) No.22148 of 2024

ORDER

WEB COPY

The petitioner has filed this writ petition to direct the respondent to permit the petitioners to operate (Late) Rajamarthandam's savings Bank Account in A/c.No.11173308084 and locker No.A18 maintained at the respondent bank and settle the same to the petitioners by considering the representation dated 28.08.2024.

2.Mr.N.Dilipkumar, learned Standing Counsel, takes notice for the respondent. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

3.It is the case of the petitioners that the first petitioner's husband Rajamarthandam had a savings bank account in Account No. 11173308084 at the respondent bank and he had also availed locker facility. He died on 08.01.2024. However, in the account maintained with the respondent bank, the husband of the first petitioner has not made any nominee. After the death of the first petitioner's husband, the petitioners being legal heirs, are unable to get the amount lying the account maintained with the respondent bank. The first petitioner had



given a representation before the respondent Bank along with the death certificate and the legal heir certificate. Since the same was not considered, the petitioner has filed this writ petition.

4.The learned counsel for the respondent would submit that the petitioners had not produced death certificate of the account holder and the legal heirs certificate. Therefore, the amount has not been paid to the petitioners. He further submitted that only Rs.1,416.80/- is only available in the savings bank account of the first petitioner's deceased husband.

5.The Clause 8.8 of the Code of Bank's Commitment to Customers deals with settlement of claims in respect of deceased account holders. It is relevant to extract clause 8.8.1 of the code for ready reference:

(a)..... payment of the balance in the deposit account to the survivor(s) / nominee of a deceased deposit account holder will be made, provided:

(i) the identity of the survivor(s) / nominee and the fact of the death of the account holder, is established through appropriate documentary evidence.

(ii) there is no order from the competent court



WEB COPY



W.P.(MD) No.22148 of 2024

8. With the above direction, this writ petition stands allowed. No costs.

18.09.2024

Index : Yes / No
Internet : Yes / No
ta

To

The Branch Manager,
State Bank of India,
Singampunari Branch,
Sivagangai District.



WEB COPY



W.P.(MD) No.22148 of 2024

N.SATHISH KUMAR, J.

ta

W.P.(MD) No.22148 of 2024

18.09.2024

(2/2)