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W.P.(MD) No.19789 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.01.2024

CORAM:

**THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR
and
THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR**

W.P.(MD) No.19789 of 2017

and

W.M.P.(MD) No.16061 of 2017

S.Louis

... Petitioner

-vs-

- 1.The Chairman
Reserve Bank of India
No.6, Sansad Marg
New Delhi-110 001
- 2.The Joint Secretary
Ministry of Finance
Department of Economic Affairs
Room No.67-B, New Delhi-110 001
- 3.The State of Tamil Nadu
rep.by the Secretary
Social Welfare and Nutritious Meal
Programme Development Department
Secretariat, Fort St.George
Chennai-600 006



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4.The State Bank of India
State Bank Bhavan
16th Floor, Madam Cama Road
Mumbai-400 021

5.The Branch Manager
State Bank of India
Alangulam Branch
Gomathi Complex
Jothi Nagar, Alangulam
Tirunelveli District-627 851

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the respondents to exempt the minimum balance criteria to the accounts of the old age pension receivers in the nationalized banks or in the alternative, provide such minimum balance once and for all such accounts enabling them all to receive the full monthly old age pension without any deduction every month within the time stipulated by this Court.

For Petitioner : Mr.S.Rajasekar

For Respondents : Mr.K.R.Laxman for R1
Mr.K.Ashok Kumar Ram for R2
Mr.T.Amjadkhan
Government Advocate for R3
No appearance for R4
Mr.Ananth C.Rajesh for R5



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ORDER

[Order of the Court was made by D.KRISHNAKUMAR, J.]

Prayer in this writ petition is to direct the respondents to exempt the minimum balance criteria to the accounts of the old age pension receivers in the nationalized banks or in the alternative, provide such minimum balance once and for all such accounts enabling them to receive full monthly old age pension without any deduction every month within the time stipulated by this Court.

2. Today, when the matter was taken up for hearing, learned counsel appearing for the first respondent – Reserve Bank of India produced a copy of the Master Circular on Customer Service Banks. As per the said Circular, there is a separate category of account *i.e.* Basic Savings Bank Deposit Account (BSBDA), which does not have the requirement of maintaining minimum balance. Para 4.1 of the said Circular is extracted hereunder:

“4.1. Basic Savings Bank Deposit Account (BSBDA)

Banks are advised to offer a 'Basic Savings Bank Deposit Account' which will offer following minimum common facilities to all their customers:



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- i. *The 'Basic Savings Bank Deposit Account' should be considered a normal banking service available to all.*
 - ii. *This account shall not have the requirement of any minimum balance.*
 - iii. *The services available in the account will include deposit and withdrawal of cash at bank branch as well as ATMs; receipt / credit of money through electronic payment channels or by means of deposit / collection of cheques drawn by Central / State Government agencies and departments.*
- ...
- ..."

3. Learned counsel appearing for the fifth respondent – Bank, reiterating the above submission, submitted that the fifth respondent – Bank is not insisting upon the old age pension receivers to maintain minimum balance in their accounts.



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4. In view of the above submission, we are of the view that no further adjudication is required in this writ petition and the same is therefore dismissed. No costs. Consequently, connected miscellaneous petition is closed.

[D.K.K., J.]

[R.V., J.]

29.01.2024

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

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To:
The Secretary,
State of Tamil Nadu,
Social Welfare and Nutritious Meal
Programme Development Department,
Secretariat, Fort St.George,
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