



W.P.No.10118 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.03.2025

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.10118 of 2025

Poongothai Ramachandran

.. **Petitioner**

Vs.

The Indian Bank
Uthangarai Branch
Rep.by its Branch Manager
Uthangarai – 635 207.

.. **Respondent**

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus, directing the respondent to permit the petitioner to operate the bank account in the name of 'The Principal Vivekanandha Vidhyalaya Nursery and Primary School, Uthangarai' in A/C No.6294145436 maintained with the respondent Bank.

For the Petitioner : Mr.P.Dinesh Kumar

For the Respondent : Mr.M.A.Abdul Wahab



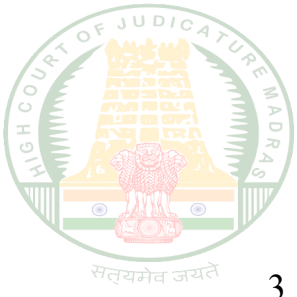
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ORDER

The Writ Petition is filed for a Mandamus directing the respondent to permit the petitioner to operate the Bank Account in the name of the Principal, Vivekanandha Vidhyalaya Nursery and Primary School, Uthangarai bearing SB Ac.No.6294145436.

2. It is the case of the petitioner that the above school was run by a trust. The petitioner's husband – Mr.K.Ramachandran was the founder of the trust and also acted as a Principal of the Vivekanandha Vidhyalaya Nursery and Primary School. There was yet another trustee by name Mr.D.Premasorijni. Unfortunately, both of them passed away and nobody else was nominated to the trust. The trust is a charitable trust, founded only for the purpose of running the school. Under the said circumstances, the petitioner is now running the school, after the demise of her husband and she is now acting as the Principal of the School. When the petitioner approached the respondent to permit her to operate the bank account, the respondent did not grant permission on the same. Hence the petitioner is before this Court.



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3. The learned counsel appearing on behalf of the respondent – Indian Bank would submit that when the account is opened in a particular name, unless succession is shown to the said account, the bank cannot permit the petitioner to operate the account.

4. No exception whatsoever can be taken to the approach of the respondent – Bank. However, this Court takes cognizance of the very peculiar circumstances of the case. The trust was created for a charitable purpose. The trust is nothing but its trustees. The trustees have died. Except the School, there is no other immovable property in the name of the School. The petitioner is the only person claiming inheritance through one of the trustees and there is no other rival claim.

5. In view thereof, when the students are studying in the school, and in their best interest, the petitioner may be permitted to execute an indemnity bond stating that she will make good any loss to the bank if there is a third-party claim in the future. By taking the indemnity bond, the petitioner may be



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permitted to operate the said bank account No. 6294145436 as the person who inherited the position of the erstwhile trustee, *R. Ramachandran*, in the absence of any other claim to the contrary.

6. In the result, this Writ Petition stands disposed of on the following terms:-

(i) The petitioner shall appear before the respondent on or before 15.04.2025 along with a copy of this order and the respondent shall act upon the website uploaded copy of this order;

(ii) The respondent shall intimate the form in which the indemnity bond or such other forms that may be required from the petitioner;

(iii) The petitioner shall execute the indemnity bond or any other form that may be required and upon execution thereof, the petitioner shall be permitted to operate the said account;

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To
The Branch Manager
Indian Bank
Uthangarai Branch
Uthangarai – 635 207.



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D.BHARATHA CHAKRAVARTHY, J.

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