



W.P.No.18600 of 2022

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.07.2025

CORAM

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

W.P.No.18600 of 2022

B.Boppaya

.. Petitioner

VS

1. Sub-Postmaster (H.S.G.-1)
Kilpauk Post Office, Chennai – 600 010.

2. Post Master General
Chennai City Region
Chennai – 600 002.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, seeking a writ of certiorarified mandamus, calling for the records in notice dated 12.11.2021 bearing No.SO/SB/DLGS issued by the first respondent and all notices/proceedings issued consequential thereto and to quash the same as illegal, arbitrary and unlawful and to consequently forbear the first respondent from in any manner closing the petitioner's PPF Account Bearing a/c No.2747635620.

For Petitioner : Ms.Ashwini Vaidailingam
For Mr.Adithya Reddy

For Respondents : Mr.Rajesh Vivekandandan
Assistant Solicitor General

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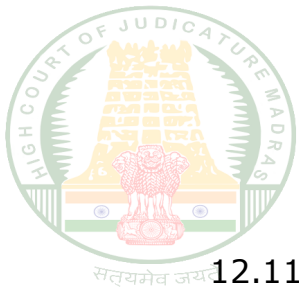
ORDER

This writ petition has been filed challenging the notice dated 12.11.2021, issued by the first respondent and for a consequential direction to the first respondent to forbear from closing the PPF account of the petitioner.

2. The grievance of the petitioner is that his father had opened a PPF account in the name of the petitioner on 15.02.2001 when the petitioner was a minor. This account was operated as a "minor account" between the period 2001 and 2004 and monies were regularly deposited. On 06.08.2004, the petitioner attained majority and an application was submitted and was acted upon by the respondents and on 13.08.2004, it was converted into a regular account in the name of the petitioner. Thereafter, the petitioner was depositing monies and it became due for renewal in the year 2016. The account was duly renewed by the petitioner.

3. While so, a notice was received from the first respondent on

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12.11.2021, stating that the PPF account was irregular and it must be closed without payment of any interest. Thereafter, the second notice dated 16.12.2021 was issued, informing the petitioner that if the petitioner fails to close the PPF account, the amount remaining will be remitted by way of a cheque after reduction of interest and postage charges. It is under these circumstances, the present writ petition came to be filed before this Court.

4. The respondents have filed a counter affidavit. The respondents have taken a stand that the petitioner's father had a PPF account in his name and by suppressing the same, he has opened a PPF account in the name of the son, who was a minor at the relevant point of time. Thereby, the petitioner's father was reaping the benefits to which he is not entitled to. Therefore, steps were taken to close the irregular account that was opened in the name of the petitioner. The respondents have justified the action taken to close the PPF account and to remit the account after reducing the interest and postage charges and have sought for the dismissal of the writ petition.

5. Heard *Ms.Ashwini Vaidialingam*, learned counsel appearing

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on behalf of *Mr.Adithya Reddy*, learned counsel for the petitioner and *Mr.Rajesh Vivkanandan*, learned Assistant Solicitor General appearing for the respondents.

6. The issue involved in the present writ petition is covered in the earlier order passed by this Court in the matter of ***Ronak Jain. G and Anr. vs. The Union of India and Ors.***¹. The relevant portion is extracted hereunder:

"8. Be that as it may, however the fact remains that if making deposit to the minor children is contrary to GSR 908(E), dated 06.12.2000, during the year 2000 itself, the fourth respondent could have informed the same to the petitioners or atleast at the time of opening another two accounts in the year 2006 itself (i.e. 22.06.2006). If it had been informed, the petitioners- father would very well deposited the said sum to some other scheme. Instead, keeping the deposit for more than 17 years and later rejecting payment of interest citing the aforesaid Notification No.GSR 908(E), dated 06.12.2000 resulting in passing the the impugned order is unsustainable. In view of the same, the impugned order issued by the fourth respondent is liable to be set aside."

7. The reason that has been given in the above order will squarely apply to the facts of the present case. Hence, this writ

¹ W.P.Nos.28214 of 2021 & 21117 of 2024
Dated: 20.09.2024.



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petition can also be disposed of in line with the above order.
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8. In the result, the impugned notice dated 12.11.2021 is hereby set aside and there shall be a direction to the respondents to pay the principal amount along with applicable interest on the deposit of the petitioner available in the PPF account for the period from 15.02.2001 till 01.07.2025, within a period of four weeks from the date of receipt of a copy of the order. It is made clear that the PPF account of the petitioner shall remain closed.

9. Accordingly, this writ petition is allowed with the above directions. There shall be no order as to costs. Consequently, W.M.P.No.17932 of 2022 is closed.

01.07.2025

Speaking Order/Non-Speaking Order.

Internet : Yes/No.

Index: Yes/No.

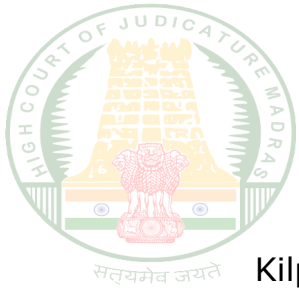
Neutral Citation: Yes/No

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To

1. Sub-Postmaster (H.S.G.-1)

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Kilpauk Post Office, Chennai – 600 010.

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2. Post Master General
Chennai City Region
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N.ANAND VENKATESH, J.

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