

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-08-2025

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THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

WP No. 30930 of 2025

1. Sakkubai Devarajulu
W/o.Late.M.Devarajulu,
New No.9, Old No.4, Venus Colony
1st Street, Alwarpet, Teynampet,
Chennai-600 018

2.D.Ravi Kumar
S/o.Late.M.Devarajulu, New No.9,
Old No.4, Venus Colony 1st Street,
Alwarpet, Teynampet, Chennai-
600 018

Petitioner(s)

Vs

1. The Regional Director
Reserve Bank Of India,
Fort Glacis No.16, Rajaji Salai,
Chennai-600 001

2.The Branch Manager
State Bank Of India, Commercial
Branch Chennai Bombay Mutual
Building, 232 NSC Bose Road,
Chennai-600 001

3.R.Varalakshmi
W/o.Rajamanickam, 11,
Padmavati Road, Jeyapur Colony,
Gopalapuram, Chennai-600 086

4.M.D.Balaji



S/o.Late.M.Devarajulu,
Prabakara Apartments,
Flat No.2, 36, Melony Road,
T.Nagar, Chennai-600017

Respondent(s)

PRAYER

Writ petition filed under Article 226 of Constitution of India for the issuance of writ of Mandamus directing the 2nd respondent Bank to the remit the share of the petitioners in the fixed deposit amounting to Rs.37,50,000/-(Rupees Thirty seven Lakhs fifty thousand only)each along with accrued interest and share of the petitioners in current and savings Accounts bearing Nos.30258801356 and 10242267668 amounting to Rs.6,23,768/- each to Account No.0973132000043 Canara Bank, Abhiramapuram Branch (1st petitioner)and Account No.30738781844 State Bank of India, Alwarpet Branch (2nd petitioner)or issue a demand draft in favour of petitioners name based on the representation dated 02.08.2024 within the time to be stipulated by this Court.

For Petitioner(s):	Mr.A.K.Sriram Senior Counsel for Mr.A.Kowsik Rahu Rajaa
For	Mrs.Rita Chandrasekar
Respondent(s):	for M/s.Aiyar and Dolia for R1 Mr.K.Chandrasekaran for R2



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M/s.Aparna Raju
for M/s.G.Vijay Anand
Associates for R3
Mr.A.Devnarendran for R4

ORDER

This writ petition has been filed for the issue of writ of Mandamus directing the 2nd respondent to remit the share of the petitioners in the twelve fixed deposits and two current accounts that stood in the name of the 1st petitioner's husband.

2. Heard Mr.A.K.Sriram, learned Senior Counsel for Mr.A.Kowsik Rahu Rajaa, learned counsel for the petitioner and Mrs.Rita Chandrasekar for M/s.Aiyar and Dolia, learned counsel for 1st respondent and Mr.K.Chandrasekaran, learned counsel for 2nd respondent and M/s.Aparna Raju for M/s.G.Vijay Anand Associates, learned counsel for 3rd respondent and Mr.A.Devnarendran, learned counsel for 4th respondent.

3. The learned Standing counsel appearing on behalf of the 2nd respondent bank submitted the details of the fixed deposits that stood in the name of the deceased Devarajalu and also the two current accounts which stood in his name. The learned counsel



submitted that no nominee has been appointed by the said Devarajalu. Normally, the bank will disburse the amount only if the legal heir ship certificate and the succession certificate are produced before the bank. That apart, if any orders are passed by the Court, the same will be complied with by the bank.

4. The learned counsel appearing on behalf of the respondents 3 and 4 submitted that there is a dispute with the petitioners and that some of the amounts in which they have a share, was completely taken away by the petitioners 1 and 2. Therefore, they are objecting to handing over the share of the petitioners from the 2nd respondent bank.

5. In the considered view of this Court, there is an *interse* dispute between the petitioners and the respondents 3 and 4. The bank need not be unnecessarily dragged in to this dispute. If the petitioners have received the entire amount in which the respondents 3 and 4 have a share and if according to them, such amount was received by the petitioners and must have been retained in trust, in order to enable the respondents 3 and 4 to get their share, the respondents 3 and 4 can always seek for the recovery of the amount from the



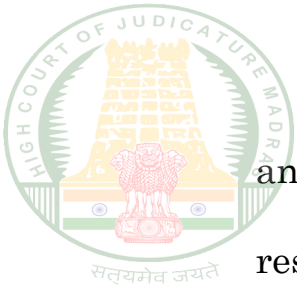
petitioners. If such a liberty is granted, the interest of the respondents 3 and 4 will stand protected. This dispute need not retain this Court from directing the 2nd respondent to pay 1/4th share to each of the petitioners and also the respondents 3 and 4 from the Fixed Deposits and current accounts that stand in the name of late Devarajalu. Atleast insofar as this money is concerned, the respective shares of the parties can be handed over.

6. In view of the above, this writ petition is disposed of in the following terms:-

(a) There shall be a direction to the 2nd respondent to pay 1/4th share in favour of each of the petitioner and respondents 3 and 4 from the total amount available in twelve fixed deposits and two current accounts that stood in the name of late Devarajalu.

(b) The petitioners are directed to hand over the legal heirship certificate to the 2nd respondent bank for their records.

(c) The petitioners are directed to execute an indemnity bond in favour of the 2nd respondent bank by specifically stating that the 2nd respondent bank will not be roped in



any litigation as between the petitioners and the respondents 3 and 4 and

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(d) Liberty is granted to the respondents 3 and 4 to seek for their share in whatever amounts have been received by the petitioners standing in the name of Devarajalu and as and when any such claim is made, it is left open to the petitioners to raise their defence.

No costs.

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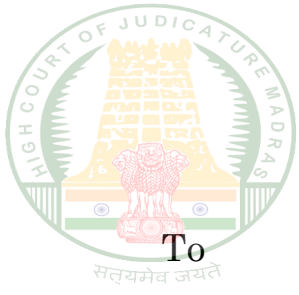
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Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No



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