



W.P.No.36511 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.07.2025

CORAM :

THE HON'BLE MR. JUSTICE N.ANAND VENKATESH

W.P.No.36511 of 2024

1. S.Baby Chitra
2. D.Shanmugan

.. Petitioners

v.

1. State Bank of India
rep by its Chief Manager
392, Bhavani Main Road
B.P.Agraharam
Erode 638 005
2. Mrs.G.V.Sumitha
3. Minor Thaarak
rep.by his mother &
natural guardian G.V.Sumitha

.. Respondents

Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the first respondent to release the amounts lying in Term Deposit in Account Nos.31607542809, 31607542865 & 36368863917 and release the jewels referable to jewel loan accounts and marked as ASL 46/804, 23/3431 and 23/3432 in Safe Deposit Receipt dated 3/2024, dated 15.10.2024 to the petitioners forthwith without



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insisting the presence of second and third respondents and their no objection letter.

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For Petitioners :: Mr.R.S.Raveendhren

For Respondents :: Mr.K.Chandrasekaran for R1
R2 & R3-Sd. No appearance

ORDER

This writ petition has been filed for issuance of a mandamus directing the first respondent to release the amounts lying in the term deposit and also to release the jewels referable to the jewel loan account without insisting for the presence of the second and third respondents and without insisting for no objection letter from them.

2. The petitioners' son Pradeep died due to an accident on 19.09.2023 leaving behind the petitioners, the second and third respondents as the surviving legal heirs. The petitioners had opened three term deposits in the name of Pradeep when he was a minor and they had also pledged their daughter's jewellery in the name of Pradeep during his life time. The petitioners redeemed the jewels and sought for taking them back. The first



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respondent has refused to grant permission to the petitioners mainly on the ground that they must obtain no objection from the second and third respondents or in the alternative, it could be done in their presence.

3. The second and third respondents have been served with notice and there is no appearance either in person or through a counsel. Even in the related petition in W.P.No.36517 of 2024, which involves the insurance policy, they have given a letter saying that they are not interested in making any claim. Therefore, it is seen that the second and third respondents are not interested in making any claim before the Bank also.

4. Taking into consideration the facts and circumstances of the case and considering the materials placed before this Court, there shall be a direction to the first respondent Bank to release the amounts lying in the term deposit and also release the jewels referable to the jewel loan accounts, in favour of the petitioners. While doing so, the first respondent Bank shall get an indemnity bond from the petitioners to the effect that if any claim is made by the second and third respondents in future, the Bank will not be



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dragged into the litigation and only the petitioners will have to face the litigation.

5. This writ petition is disposed of with the above direction. No costs.

Index : yes/no
Neutral citation : yes/no

16.07.2025

SS

To

1. The Chief Manager
State Bank of India
392, Bhavani Main Road
B.P.Agraharam
Erode 638 005



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N.ANAND VENKATESH,J.

SS

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