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W.A.(MD)NO.1267 OF 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.06.2025

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HON'BLE MR.JUSTICE K.RAJASEKAR

W.A.(MD)No.1267 of 2025

M.Sethu

... Appellant / Petitioner

Vs.

The Manager,
Indian Bank,
Pudupatti Branch,
Ponnamaravathi,
Pudukottai District – 622 407.

... Respondent / Respondent

Prayer: Writ Appeal filed under Clause 15 of Letters Patent, to set aside the order dated 16.10.2024 made in W.P.(MD)No.24199 of 2024 on the file of this Court.

For Appellant : Mr.S.Siva Thilakar

For Respondent : Mr.C.Karthik

* * *

**J U D G M E N T**

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(Order of the Court was delivered by G.R.SWAMINATHAN, J.)

The appellant herein is the brother of one Subramanian who passed away on 14.07.2024. The said Subramanian had deposited certain sum of money with the respondent Bank.

2. The appellant filed W.P.(MD)No.24199 of 2024 to direct the respondent Bank to disburse the said amount to him.

3. The learned single Judge disposed of the writ petition vide order dated 16.10.2024 holding that the Bank cannot be faulted for having disbursed the deposited amount to the nominee. One Alagarsamy had been shown as nominee in the FD receipt.

4. Since the amount in question had already been disbursed, the writ petition was infructuous at the very inception. It is for the appellant to pursue his legal remedy against Alagarsamy who had withdrawn the said amount. The learned counsel appearing for the appellant is right in his contention that the nominee cannot appropriate the amount for himself. The matter has to be agitated only before the jurisdictional civil Court.



WEB COPY 5. With the aforesaid liberty to the appellant, this writ appeal stands dismissed. No costs.

(G.R.SWAMINATHAN, J.) & (K.RAJASEKAR, J.)
3rd June 2025

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