



W.P.(MD)No.6798 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.03.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.6798 of 2025

J.Siva Kumar

: Petitioner

Vs.

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

2. The Authorized Officer,
Tamil Nadu Grama Bank Head Office,
No.6, Yercaud Road Hasthampatty,
Salem - 636 007.

3. The Authorized Officer,
Tamil Nadu Grama Bank,
No.49, TSP Complex First Floor,
Bypass Road, Ellis Nagar,
Palanganatham Branch,
Madurai - 625 003.

: Respondents

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus to call for the records of the 3rd respondents Impugned Communication dated 03.02.2025 and quash the same as devoid of merits and directing the 2nd



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respondent to direct the 3rd respondent to grant the Fixed Deposit amounts with due interest deposited by petitioners mother Ulagammal, W/o.Jeya Balakrishnan to the petitioner by considering his representation dated 30.01.2025.

For Petitioner : Mr. M.Dhinakar

For Respondents : Mr.N.Dilip Kumar for R2 and R3

ORDER

Challenging the communication dated 03.02.2023, issued by the third respondent, the petitioner has come forward with the present writ petition.

2. With the consent of both sides, this Writ Petition is disposed of, at the admission stage itself.

3. The petitioner claims that his parents were government school teachers and retired from service in 1998. Due to ailments, his mother was bedridden. Having received a meager pension and with the petitioner being a private employee, he was unable to support his family. Therefore, he decided to close the fixed deposit of his parents maintained in the third respondent bank. However, the bank refused to do so and



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requested the petitioner to obtain a guardianship certificate from the competent authority. Aggrieved by this, the petitioner has filed the present writ petition.

4. The learned counsel appearing on behalf of the respondents 2 and 3 submits that, under RBI rules, deposits held in the name of a person, who is mentally unsound and incapable of providing consent cannot be closed without her approval. Additionally, the proceeds cannot be transferred to the legal heir while the depositor is still alive.

5. Heard the learned counsel for the parties and perused the materials on record.

6. Upon considering the submissions, this Court finds that, under RBI Rules, deposits in the name of a mentally unsound person cannot be closed or transferred without their consent. Therefore, the petitioner is required to obtain a guardianship certificate from the competent civil court, after which the bank shall take appropriate action on merits and in accordance with law.



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7. This writ petition is disposed of with the above observations. No costs.

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Index : Yes / No

Internet : Yes / No

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VIVEK KUMAR SINGH, J.

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