



W.P.(MD)No.8593 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.04.2025

CORAM

THE HONOURABLE MR.JUSTICE V. LAKSHMINARAYANAN

W.P.(MD) No.8593 of 2025

R.Selvi

... Petitioner

vs.

1.The Manager,
Dindigul Head Post Office,
Dindigul.

2.The Postmaster (HSG1),
Dindigul HO,
Dindigul 624 001.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to return the deposit amount of petitioner deceased mother namely Late V.Chinnaponnu W/o.Velmurugan in Connection with SB Account No. 0043007820 Dindigul Branch to us and based on representation dated 15.01.2025.

For Petitioner :Mr.P.Manikandan

For Respondents :Mr.P.Palpandi
Standing Counsel



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ORDER

The petitioner seeks for the following relief:-

“Writ of Mandamus, directing the respondents to return the deposit amount of petitioner deceased mother namely Late V.Chinnaponnu W/o.Velmurugan in Connection with SB Account No.0043007820 Dindigul Branch to us and based on representation dated 15.01.2025.”

2.The petitioner's mother one V.Chinnaponnu had opened a savings bank account with the second respondent. The savings bank account number is 0043007820. The said V.Chinnaponnu passed away on 31.10.2024. She has left behind as her legal heirs the following persons:-

S.No	Name	Age	Relationship for deceased	Marital status
1	K.Velmurugan	71	Husband of the deceased	Widower
2	R.Selvi	41	Daughter of the deceased	Married
3	Santha	37	Daughter of the deceased	Married
4	Packialakshmi	34	Daughter of the deceased	Married
5	V.Kumaresan	32	Son of the deceased	Married



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3.At the time of her death, the savings bank account had a sum of Rs.2,02,433/-. The petitioner soon after the death of V.Chinnaponnu, approached the respondents for disbursal of the amount. The application was received and at the time of processing, the husband of the deceased V.Chinnaponnu, namely, Mr.Velmurugan, was informed that there exists a nomination in the name of one V.Balakrishnan residing at 8/B, V O C Nagar, Dindigul. Therefore, he was informed that either Mr.V.Balakrishnan should submit the papers or a claim petition should be accompanied with a succession certificate. The other legal heirs were not informed about this procedure.

4.The petitioner, who is the daughter of the said V.Chinnaponnu, had given a representation on 15.01.2025 together with the indemnity under Forms 13 and 15 of Government Savings Promotion General Rules, 2018. As the said application was not considered, she has come forward with the present writ petition.

5.When the matter came up for admission on 28.03.2025, Mr.P.Palpandi, learned standing counsel, took notice and sought time



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for instructions. The matter was adjourned and it was taken up for hearing today.

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6.Mr.P.Palpandi submits that in terms of Government Savings Promotion General Rules, 2018, either V.Balakrishnan, the nominee has to process the papers or the succession certificate would have to be produced. In support of the same, he has produced the relevant rules.

7.A careful perusal of Rule 15(6)(i) shows that the succession certificate would be necessary, in case a dispute is raised before the accounts Office and before the payment of the claim. However, in the present case, Forms 13 and 15 shows that all the legal heirs of the deceased V.Chinnaponnu have given an indemnity as well as a letter of disclaimer in terms of the said Rules. The amount too does not exceed a sum of Rs.5,00,000/-, the threshold of which is found under Rule 15(6)(i).

8.Mr.P.Palpandi states further that Rule 15(6)(i) would apply only if an application is made within six months from the date of the death of the account holder, which is not the situation in the present



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case. He states in the present case that the account holder died on 31.10.2024 and the petitioner has approached this Court only in March 2025, which is beyond the period of six months.

9.A careful perusal of the typed set of papers shows that first of the application had been made on 15.01.2025 and the second claim was on 07.03.2025. Both are within the period of six months from the date of death of V.Chinnaponnu, which is 31.10.2024. Therefore, the bar as pointed out by Mr.P.Palpandi also does not arise in the case.

10.Even otherwise, a nominee receives the amount only as a trustee on behalf of the legal heirs of the deceased. When the legal heirs of the deceased themselves are before the respondents pleading that they will execute the indemnity, no prejudice is going to be caused to the respondents by releasing the amount. Prior to the release of the amount, the respondents are always entitled to verify the identification and the relationship between the deceased and the claimants. If the Accounts Officer is satisfied that the petitioner is the legal heir of the deceased, he shall release the amount.



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11. With the aforesaid directions, the Writ Petition is ordered. No

costs.

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

15.04.2025

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To

1. The Manager,
Dindigul Head Post Office,
Dindigul.

2. The Postmaster (HSG1),
Dindigul HO,
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V. LAKSHMINARAYANAN, J.

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