



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03-03-2026

CORAM

THE HONOURABLE MR JUSTICE KRISHNAN RAMASAMY

**WP No. 9519 of 2022
AND WP NO. 9521 OF 2022**

Thilagavathi
W/o.Aruchamy,
Door No.139B, Nehru Nagar,
Sulur Taluk, Coimbatore District.

Petitioner(s)
in W.P.No.9519 of 2022

K.Dhanalakshmi,
W/o.Kumaraswamy,
Neikaran Thottam, Karadivavi,
Palladam, Tirupur-641 658.

Petitioner
in W.P.No.9521 of 2022

Vs

1.The Manager,
Central Cooperative Bank,
13A, Railway Peedar Road, Sulur
Coimbatore-641 402.

2.The Zonal Manager,
Central Cooperative Bank,
80 Bank Road, Coimbatore -641 018.

Respondent(s)
in both W.Ps

PRAYER in WP No. 9519 of 2022:-Writ Petition filed under Article 226 of the Constitution of India, praying for an issuance of Writ of Mandamus, directing



the 1st respondent to disburse the amount deposited by petitioner's maternal aunty deceased Unnathal which is laying with the 1st respondent bank for a sum of INR 16,00,000/- (Rupees Sixteen Lakhs Only) to the petitioner.

PRAYER in WP No. 9521 of 2022:-Writ Petition filed under Article 226 of the Constitution of India, praying for an issuance of Writ of Mandamus, directing the 1st respondent to disburse the amount deposited by petitioner's maternal aunty deceased Unnathal which is laying with the 1st respondent bank for a sum of INR 4,00,000/- (Rupees Four Lakhs Only) to the petitioner.

For Petitioners: Mr.Deepan Uday
For Respondents: Mr.R.Arumugam

COMMON ORDER

W.P.No.9519 of 2022 has been filed seeking to direct the 1st respondent to disburse the amount deposited by the petitioner's maternal aunty deceased Unnathal which is laying with the 1st respondent bank for a sum of INR 16,00,000/- (Rupees Sixteen Lakhs Only) to the petitioner.

W.P.No.9521 of 2022 has been filed seeking to direct the 1st respondent to disburse the amount deposited by the petitioner's maternal aunty deceased Unnathal which is laying with the 1st respondent bank for a sum of INR 4,00,000/- (Rupees Four Lakhs Only) to the petitioner.

2.Learned counsel for the petitioners would submit that the petitioners' deceased maternal aunt viz., Unnathal has no issues and died intestate on



06.09.2021 and her husband also predeceased her. The said deceased Unnathal had appointed the petitioners as nominee for the amount lying in her savings and fixed deposit accounts with the respondents Bank. Therefore, the petitioners approached the 1st respondent seeking to disburse the amount lying in the deceased Unnathal's account by submitting the necessary documents. However, the 1st respondent has rejected their claim. Hence, the present writ petitions have been filed.

3.Learned counsel appearing for the respondents would submit that even though the petitioners were appointed as nominee, the legal heirs are entitled to get the amount lying in the deceased Unnathal's account. Therefore, unless and otherwise the legal heir certificate is produced, the amount cannot be disbursed.

4.Heard the learned counsel for the petitioner as well as the learned counsel appearing for the respondents.

5.Considering the submissions made by the learned counsel for the petitioner as well as the learned counsel appearing for the respondents, it is evident that according to the petitioner, the deceased Unnathal has no issues. The petitioners are niece to the deceased Unnathal. They are also appointed as nominee for the amount lying in the deceased Unnathal's bank account with the respondents bank. However, according to the respondents though the petitioners



were appointed as nominee, they have failed to produce the legal heir certificate.

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6. In view of the above, when the petitioners who are the niece to the deceased Unnathal claim for the amount lying in her bank account on the ground that the deceased Unnathal has no Class I legal heirs, the petitioners have to prove the same. The petitioners should also to prove that they are the Class II legal heirs of deceased Unnathal, so as to enable the respondents to disburse the amount in their favour. Therefore, This Court does not find any fault on the part of the respondents. Certainly the bank is entitled to ask for the legal heir certificate when the nominee is not a legal heir of the deceased. Unless and otherwise, the petitioners rights are proved, the respondents cannot disburse the amount in their favour. Hence, the petitioners are directed to produce the legal heir certificate before the respondents as directed by the respondents Bank.

7. With the above direction, these writ petitions are disposed of. No costs.

03-03-2026

rst

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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WP Nos. 9519 & 9521 of 2022



To

1.The Manager,
Central Cooperative Bank, 13A,
Railway Peedar Road, Sulur
Coimbatore-641 402.

2.The Zonal Manager,
Central Cooperative Bank, 80 Bank
Road, Coimbatore -641 018.



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KRISHNAN RAMASAMY J.

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