

**IN THE HIGH COURT OF JUDICATURE FOR THE STATE OF
TELANGANA
HON'BLE SRI JUSTICE NAGESH BHEEMAPAKA**

WRIT PETITION No. 35374 OF 2025

09.03.2026

Between:

Girigalla Srinivas

..... Petitioner

And

The Union of India,
Rep. by its Secretary,
Ministry of Communications,
Department of Posts, New Delhi & others

..... Respondents

ORDER:

Petitioner states that he is a Septuagenarian presently in an end-stage medical condition, bedridden and incapable of walking, travelling or personally appearing before any authority. He requires urgent access to his Fixed Deposit amounts maintained at GPO, Abids for life-saving medical treatment, nursing and hospital care. The deposits were opened under "Joint B Either or Survivor" mode permitting independent withdrawal by either holder. However, the deposits were frozen following an impersonation fraud committed by a

third person who falsely projected herself as the petitioner's wife.

1.1. Petitioner states that he maintains the following Fixed Deposits with GPO Abids under Joint B Either or Survivor mode with a total value of Rs.2,40,00,000/-: FD No. 020159710302 – Rs.50,00,000/-; FD No. 020159707818 – Rs.50,00,000/-; FD No. 020159707620 – Rs.50,00,000/-; FD No. 020159708447 – Rs.40,00,000/-; FD No. 020159708194 – Rs.50,00,000/-. It is stated that under Rule 87 of the Post Office Savings Bank Rules, 2019, in a Joint B account either holder is entitled to withdraw or close the deposit independently without requiring consent of the other holder. All the above deposits were funded exclusively by him from his Postal Savings Account using the sale proceeds realised from his ancestral property and that he urgently requires access to the funds for medical and personal care due to his present medical condition.

1.2. It is stated, a caretaker appointed to assist him impersonated herself as his wife, manipulated her Aadhaar identity details and illegally caused her name to be inserted in certain Fixed Deposit records. He reported the impersonation, illegal confinement, sedation and fraudulent interference with

his financial records to the SHO and the Deputy Commissioner of Police through written complaints. Despite the complaints, the matter was kept under enquiry and no effective action was taken by the police authorities. Petitioner is also stated to have submitted written complaints to the Chief Postmaster, GPO Abids requesting removal of fraudulent entry made by the impersonator and seeking disclosure and release of the Fixed Deposit records.

1.3. Petitioner states that the GPO Abids authorities froze the Fixed Deposits and declined to provide copies of the relevant records. Their reply dated 13.11.2025 only confirmed the existence of the deposits and that they had been frozen. The continued freezing of deposits violates the provisions of the Post Office Savings Bank Rules, 2019 and infringes his rights under Articles 14, 21 and 300-A of the Constitution by preventing him from accessing his own funds during a critical medical condition. Petitioner is stated to have executed a valid Will distributing his estate between his two daughters Ms. Marie Solange Girigalla and Ms. Rebecca Girigalla. Under the Will, Ms. Marie Solange Girigalla is entitled to 50% undivided share in Chapel Road property bearing Nos. 5-9-176 and 5-9-176/1, share in the Madhavi Nagar house, 50% share

in mutual fund investments and Time Deposits bearing Nos. 020159707818 and 020159710302 totalling Rs.1,00,00,000/-. Ms. Rebecca Girigalla is entitled to 50% undivided share in the Chapel Road property, half share in the Madhavi Nagar house, 50% share in mutual fund investments and Time Deposits bearing Nos. 020159707620, 020159708447 and 020159708194 totalling Rs.1,40,00,000/-.

1.4. Petitioner states that in the event of his death during the pendency of writ proceedings, the Fixed Deposit amounts must be preserved and distributed strictly in accordance with the Will executed by him, namely that FD Nos. 020159707818 and 020159710302 shall devolve upon Ms. Marie Solange Girigalla and FD Nos. 020159707620, 020159708447 and 020159708194 shall devolve upon Ms. Rebecca Girigalla.

2. In the counter filed on behalf of respondents, it is stated that as per the records available in the office, Fixed Deposit accounts were opened on the basis of documents submitted at the relevant time including Account Opening Forms and KYC documents containing the signatures of the account holders. The office records reflect the documents presented at the time of opening of the accounts and the

Department does not verify the personal circumstances of the account holders beyond such records. The Fixed Deposit account numbers and amounts mentioned in the petition correspond with the entries available in the office records. The accounts are shown in the system as Joint-B (Either or Survivor) accounts which, as per the Postal Savings Bank Rules and CBS operational guidelines, ordinarily permit either depositor to withdraw or close the deposit independently.

2.1. The respondent states that under the POSB Rules and CBS operational procedures, Fixed Deposit accounts opened under Joint-B (Either or Survivor) mode are eligible for withdrawal or premature closure at the instance of either account holder without requiring joint signatures. Deposits were accepted from petitioner's savings bank account and accounts were opened on the basis of duly signed documents of both account holders in accordance with the POSB Rules. The source of funds and the circumstances under which documents were executed do not fall within the scope of departmental scrutiny. The documents were submitted through an authorized agent appointed by the account holders.

2.2. Respondents state that allegations made by petitioner regarding impersonation, personal disputes with any

caretaker or associate, confinement, sedation or fraudulent interference with financial records fall outside the scope of departmental verification. The Department has no role in appointing caretakers or intermediaries and any individual presenting documents or submissions on behalf of petitioner is treated as petitioner's representative or agent. Any act done by such agents is treated in the ordinary course as having been done by the depositor himself and the Department cannot adjudicate disputes arising thereafter. Matters relating to impersonation or other alleged misconduct fall within the domain of police authorities and do not fall within the scope of departmental action. As per the records available in the Hyderabad GPO office, no complaint or representation regarding such allegations was received prior to the legal notice dated 09.09.2025 issued by the petitioner's advocate.

2.3. Respondent states that the advocate's notice dated 09.09.2025 was the first formal communication through which allegations regarding the manner of operation of the accounts were brought to the attention of the Department. After receipt of legal notice dated 09.09.2025 raising allegations of fraud, the Department placed the Fixed Deposit accounts under freeze status as a precautionary measure to avoid procedural

complications and to maintain the existing position until clarity could be obtained. The freeze was not based on any independent assessment or conclusion by the Department regarding the correctness of the allegations. It is stated, because the accounts are presently under frozen status, the Department has refrained from permitting any further transactions including withdrawal or premature closure and awaits appropriate directions from this Court regarding further operation of the accounts.

2.4. It is contended, with regard to issuance of documents, the office records indicate that the passbooks were handled through an authorized SAS agent at the time of opening of the accounts and therefore duplicate passbooks were not generated in the routine course. However, upon request made through petitioner's advocate, a certificate dated 13.10.2025 containing the relevant account details was issued and furnished to the petitioner. Apart from petitioner approaching the Department and this Court through his advocate, no representation, claim or objection has been made by the other account holder in relation to these deposits. The Department cannot release or credit funds from the frozen Fixed Deposit accounts without specific directions from this

Court because the freezing of the accounts was done after receipt of the legal notice alleging fraud.

2.5. According to respondents, the allegations made in the Writ Petition are baseless and the office has acted strictly in accordance with the applicable rules and regulations. There is no violation of the Post Office Savings Bank Rules, 2019 or RBI KYC norms. The Account Opening Forms and KYC documents marked reflect the names of account holders as G. Srinivas and G. Divya and do not contain the name Manda Divya. It is further stated that Sri G. Srinivas himself submitted his consent in both handwritten and printed formats duly attested by him, therefore, the question of forgery or impersonation does not arise. Passbooks relating to the accounts were handed over to the authorized SAS agent of petitioner on the date of opening of accounts, therefore, the allegation that passbooks are missing is without merit. It is stated, accounts were frozen only after receipt of legal notice dated 09.09.2025 informing about the alleged fraud and that such freezing of accounts is a precautionary security measure to prevent unauthorized transactions and does not amount to violation of any statutory or constitutional right.

2.6. It is further stated, the Fixed Deposit accounts were opened with the free and informed consent of petitioner supported by duly signed Account Opening Forms and KYC documents of both account holders, as already communicated in the reply to the legal notice dated 09.09.2025. The co-applicant Smt. Girigalla Divya was added based on validly-signed documents and accounts were frozen only after receipt of legal notice alleging fraud as a precautionary measure. The medical condition of petitioner is outside the records of the Department and beyond the scope of departmental inquiry. The matters relating to Wills, inheritance, succession or distribution of estate arise for consideration only upon the demise of account holder in accordance with the ordinary procedure applicable to such accounts, and the Department does not express any view regarding the contents or effect of the Will referred to by petitioner and will act strictly in accordance with law and any directions issued by this Court.

3. Heard Sri G. Santosh Pawan Babu, learned counsel for petitioner, Sri Sunkari Janardhan Goud, learned counsel for Respondents 1 to 3.

4. Having considered the material on record, this Court finds that certain facts are not in dispute. Existence of

Fixed Deposit Accounts bearing Nos. 020159710302, 020159707818, 020159707620, 020159708447 and 020159708194 maintained at GPO Abids and the amounts standing therein are not disputed by respondents. It is also not disputed by respondents that the said accounts are Joint-B (Either or Survivor) accounts and that under the applicable Postal Savings Bank Rules and CBS operational procedures, such accounts ordinarily permit either depositor to withdraw or close the deposit independently without requiring the consent of the other holder.

5. Respondents 1 to 3 themselves admitted in the counter that accounts were frozen only after receipt of the legal notice dated 09.09.2025 raising allegations of fraud and that such freezing was done purely as a precautionary measure to avoid procedural complications and that the Department has not undertaken any independent assessment regarding the correctness of the allegations. Respondents have also stated that no representation or claim has been made by the other account holder in relation to the deposits.

6. In these circumstances, the action of continuing freeze on petitioner's Fixed Deposit accounts indefinitely, without any adjudication of rights and without any statutory

provision authorising such continued restriction, cannot be sustained. Respondents themselves have acknowledged that accounts are Joint-B accounts permitting independent operation by either holder under the POSB Rules and CBS operational procedures. Once the Department has not undertaken any determination regarding the allegations and once respondents themselves state that they await directions of this Court, the continued denial of access to petitioner's own deposits cannot be justified.

7. Petitioner has specifically pleaded that he is a 75-year-old senior citizen suffering from serious medical condition and requires access to his funds for medical treatment and personal care. Respondents have not disputed the fact that funds standing in Fixed Deposit accounts originated from petitioner's savings bank account. They have also not asserted any competing claim from any other person with respect to the deposits. In such circumstances, continued freezing of deposits operates as a restriction on petitioner's access to his own property and funds. When the governing rules themselves recognise the right of either holder of a Joint-B account to independently operate the deposit, the Department cannot indefinitely withhold operation of the account merely on the

basis of a legal notice raising allegations without any further determination.

8. For the foregoing reasons, this Court is satisfied that petitioner has made out a case for issuance of a direction to respondents to lift the freeze placed on petitioner's Fixed Deposit accounts and to permit operation of the accounts in accordance with the Joint-B (Either or Survivor) mandate recognised under the Post Office Savings Bank Rules, 2019 and the applicable CBS operational procedures.

9. Accordingly, the Writ Petition is allowed. Respondents are directed to forthwith lift the freeze imposed on the Fixed Deposit Accounts bearing Nos. 020159710302, 020159707818, 020159707620, 020159708447 and 020159708194 maintained at GPO Abids and permit petitioner to operate the said accounts and withdraw or close the deposits in accordance with the Joint-B (Either or Survivor) mandate and the applicable Postal Savings Bank Rules, 2019. Respondents shall release and credit the amounts standing in the said Fixed Deposit accounts into petitioner's personal savings bank account bearing Account Number 0002104000748544 maintained with IDBI Bank, IFSC Code IBKL0000002, BasheerBagh Branch, subject to compliance

with the applicable procedural formalities. Respondents shall also ensure that no third party is permitted to interfere with the operation of the said deposits except in accordance with law. No costs.

10. Consequently, the miscellaneous Applications, if any shall stand closed.

NAGESH BHEEMAPAKA, J

09th March 2026

ksld

