

IN THE HIGH COURT OF JUDICATURE AT MADRAS**DATED : 05.03.2019****CORAM**

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM
and
THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.1723 of 2018

Sreevaas Roofing Private Limited

CIN-U28112TN2009PTC072191

E-7, 3rd Floor, Gemini Parsn Apartments,
 Cathedral Garden Road,
 Chennai 600 006.

...Appellant

Vs.

1. The State Bank of India

Rep.by its Chairman

State Bank of India, Corporate Centre,
 Madam Cama Road, Nariman Point,
 Mumbai 400 021.

2. The State Bank of India

Rep.by the Chief Manager

Jawahar Nagar, S.V.Road,
 Goregan(W),
 Mumbai 400 062.

3. The Inspector of Police,

Cyber Crime Cell

Central Crime Branch

Vepery, Chennai 600 007.

...Respondents

Writ Appeal filed under Clause 15 of the Letter Patent against the
 judgment dated 18.06.2018 in W.P.No.14352 of 2018.

For Petitioner : Mrs.Pushpa Menon

For Respondents : Mr.M.L.Ganesh
Standing Counsel
for R1 and R2.
Mr.V.Kadhirvel
Special Government Pleader
for R3.

JUDGMENT

[Judgment of this Court was delivered by T.S.SIVAGNANAM, J.]

This Appeal by the appellant is directed against the order dated 18.06.2018 in W.P.No.14352 of 2018.

2. We have heard Mrs.Pushpa Menon, learned counsel for the appellant and Mr.M.L.Ganesh, learned Standing Counsel for R.1 & R.2 and Mr.V.Kadhirvel, learned Special Government Pleader for R.3.

3. The petitioner had filed the writ petition seeking for a direction upon respondent/Bank to verify the account and the transactions details and if found to be fake or no such person is present to unfreeze the said accounts.

2. Mr.M.L.Ganesh, learned standing counsel submitted that the Bank has already sent an E-Mail to the appellant stating that the

beneficiary M/s.Ekta Enterprises bearing Account No.36154949820 has multiple claimants as such they cannot refund the amount of Rs.4,20,000/- without Court intervention. Further it is stated that the said account has already been freezed against various claims by other branches and expressed their inability to unfreeze the account.

5. The Inspector of Police, Cyber Crime Cell although addressed the respondent/Bank on similar line as that of the appellant representation, we find from the E-Mail sent by the respondent/bank to the appellant as well as the Inspector of Police, Cyber Crime Cell, full details have not been disclosed as to who are the multiple claimants. If full details are disclosed, it will be well open to the appellant either to peruse the matter before the Cyber Crime Cell or before the appropriate Forum.

6. Therefore, we dispose of the appeal by directing the respondent/bank to furnish the full information to the appellant as well as the Inspector of Police, Cyber Crime Cell as to who are the multiple claimants in so far as the beneficiary M/s.Ekta Enterprises bearing Account No.3615494820. The details shall be furnished to the appellants within a period of three weeks from the date of receipt of

copy of this judgment. In the event, the respondent/bank is of the opinion that certain information is highly confidential then such information be disclosed to the Inspector of Police, Cyber Crime Cell alone and not to the appellant.

7. With the above observations, the writ appeal is disposed of.

No costs.

mrm/ssb

Index : Yes/No

Internet: Yes/No

Speaking Order/Non speaking Order

To

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(T.S.S.J)

(V.B.S.J)

05.03.2019

**T.S.SIVAGNANAM, J.
and
V.BHAVANI SUBBAROYAN, J.**

mrm/ssb



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