

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.

Petition praying to issue a Writ of Mandamus to direct the 2nd respondent to verify the State Bank of India bank account bearing No 36154949820 and end a verification report with KYC and transaction details to the 3rd respondent and consequently if the address of the account holder of the State Bank of India bank account bearing No. 36154949820 is found to be fake or no such person is present in the said address to unfreeze the State Bank of India bank account bearing NO. 36154949820 and repatriate the sum of Rs. 4,20,000/- to its principal account

maintained by the Petitioner at City Union Bank (Chennai-Thambu Chetty Branch) account bearing No. 043120000137203.

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.

Sd/-

Assistant Registrar (CS-V)

//True Copy//

Sub Assistant Registrar

mrm/ssb

To

1. The Chairman
The State Bank of India
State Bank of India, Corporate Centre,
Madam Cama Road, Nariman Point,
Mumbai 400 021.
2. The Chief Manager
The State Bank of India
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.

+1cc to Mr.M.L.Ganesh Advocate, S.R.No. 20487
+1cc to Mr.Pushaba menon, Advocate, S.R.No. 20872

W.A.No.1723 of 2018

SSI (CO)
GN(29/03/2019)