

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.07.2022

CORAM:

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P.No.2605 of 2022

and

WMP No.2752 of 2022

Bhagyalakshmi M.

...Petitioner

vs.

1. Indian Overseas Bank,
Having its Central Office at
No.763, Anna Salai, Mount Road,
Chennai - 600 002.

2. The Branch Manager,
Indian Overseas Bank,
No.14, Veeraraghavan Street,
NDP Complex, Srinivasa Nagar,
New Perungalathur,
Chennai - 600 063.

3. Avanse Financial Services Limited
Having its branch office at
Old No.138, New No.30,
IV Floor, Florida Towers,
Nelson Manickam Road,
Chennai - 600 029.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents further and in future, not to take such similar or other actions of attachment or seizure or freezing of the Petitioner's pension account held with the Respondents for the purpose of recovery of dues or any outstanding amounts payable.

For petitioner : Mr. Deepak Krishna
for R & P Partners

For respondents : Mr. Samudra Vijayan
for respondents 1 & 2

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the respondents further and in future, not to take such similar or other actions of attachment or seizure or freezing of the Petitioner's pension account held with the respondents for the purpose of recovery of dues or any outstanding amounts payable.

2. By order dated 15.03.2022 in W.M.P. No.2752 of 2022 after recording the fact that the petitioner is not a defaulter with the respondent bank, this Court directed the respondent to make the bank account of the petitioner operative forthwith.

3. Heard Mr.Deepak Krishnan, learned counsel for the petitioner and Mr.Samudra Vijayan, learned counsel for the respondents 1 and 2.

4. It is now brought to the notice of this Court by the learned counsel appearing for the respondents that the respondents have complied with the directions issued by this Court on 15.03.2022 and the petitioner is now operating his bank account without any problem / difficulty. The learned counsel for the petitioner also accepts the submissions made by the learned counsel for the petitioner. However, he would submit that in case in the near future, if the respondents shall once again freeze the bank account of the petitioner, the petitioner may be granted liberty to challenge the same in the manner known to the petitioner under law.

5. After recording the rival submissions, this writ petition is disposed of by granting liberty to the petitioner, if the respondents in the near future freezes his bank account for the very same reason, for which, the writ petition is filed in the manner known to the petitioner under law. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-II)

// True Copy //

Sub Assistant Registrar

To

1. Indian Overseas Bank,
Having its Central Office at
No.763, Anna Salai, Mount Road,
Chennai - 600 002.

2. The Branch Manager,
Indian Overseas Bank,
No.14, Veeraraghavan Street,
NDP Complex, Srinivasa Nagar,
New Perungalathur,
Chennai - 600 063.

+1cc to M/s.R&P Partners, Advocate SR.No.43173
+1cc to Mr.V.Samuthiravijayan, Advocate SR.No.42621

W.P.No.2605 of 2022

GJ(CO)
CB(21/07/2022)