



WEB COPY

W.P.No.8177 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.03.2024

CORAM

THE HONOURABLE DR.JUSTICE ANITA SUMANTH

W.P.No.8177 of 2024

& WMP.Nos.9124, 9125 & 9209 of 2024

Sri.V.K.K.Charities,
Rep. by its Managing Trustee
Mrs. Kavitha Renganathan
No.34/88, Landon's Road,
Kilpauk,
Chennai – 600 010.

.... Petitioner

Vs

State Bank of India,
Rep by its Branch Manager,
Pallavaram Branch,
Patanjali Plaza, 1st Floor, Old Trunk Road,
Chennai 600 043

.... Respondent

Prayer: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for the records of the respondent in letter PVM/2023-24/dated 16.03.2024 and quash the same and consequently direct the respondent to de-freeze the bank accounts of the petitioner trust bearing current account nos.10260845163, 32569862415, 41691777530 and 37296675971 maintained in the respondent bank within a time frame to be fixed by this Hon'ble Court.

For Petitioner : Mr.Arjun.M
For Respondent : Mr.M.L.Ganesh



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Standing counsel

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ORDER

The petitioner challenges order dated 16.03.2024 passed by the State Bank of India, Pallavaram Branch, Chennai arrayed as sole respondent, wherein, the bank has frozen the account of the petitioner Trust pursuant to a letter received from one V.K.K.Charities bringing to the fore the fact that there are warring factions inter se the trust itself.

2. On account of the apparent discord among the trustees, the bank has frozen the accounts, which is the right course of action to have been undertaken.

3. Admittedly, there are two suits that are pending inter se the warring factions of the trust. The first is in O.S.Diary.No.3390 of 2019 on the file of Principal District Court, Madurai along with I.A.No.1891 of 2019 seeking leave under Section 92 of the Code of Civil Procedure. The second suit is O.S.No.1129 of 2024 on the file of the City Civil Court, Chennai.

4. The City Civil Court has passed an order in I.A.No.3 of 2024 keeping in abeyance the removal of V.K.K.Sekaran as Chairman of the Trust. Since the Civil Courts are seized of the disputes between the parties, it would not be appropriate for this Court to intervene.

5. Moreover, the petitioner has not arrayed any of the private



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parties as respondents in this writ petition and even for that reason, I am not inclined to intervene.

6.The petitioner states that cheques are to be issued towards statutory payments and in this regard has filed Memo dated 25.03.2024 as below:

A. Property Tax

i) Cheque bearing No.007612 dated 20.03.2024 drawn on State Bank of India, Pallavaram Branch for a sum of Rs.2,07,636/-, that has been issued.

ii) Cheque bearing No.007615 dated 26.03.2024 drawn on State Bank of India, Pallavaram Branch for a sum of Rs.6,22,908/-, yet to be presented.

B. Electricity payment

Cheque bearing No.007614 dated 26.03.2024 drawn on State Bank of India, Pallavaram Branch for a sum of Rs.59,569/-, yet to be presented.

8. R2 will permit the aforesaid cheques alone to be presented and clear the same subject to availability of funds in the bank account. This

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is solely a measure to ensure that statutory payments are effected in time.



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9. The petitioner is at liberty permitted to seek remedy as against the impugned communication dated 16.03.2024 before the appropriate fora.

10. This Writ Petition and connected Miscellaneous Petitions are dismissed, though with liberty as above. No costs.

26.03.2024

Index: Yes/No
Speaking order
Neutral Citation: Yes
vs/sl

To

State Bank of India,
Rep by its Branch Manager,
Pallavaram Branch,
Patanjali Plaza, 1st Floor, Old Trunk Road,
Chennai 600 043

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