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W.P.Nos.14809 and 14813 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.09.2024

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.Nos.14809 and 14813 of 2024

And

W.M.P.Nos.28540 and 28541 of 2024

M.Mohammed Idrishkhan ... Petitioner in both W.Ps.

Vs.

- 1.Union of India
Represented by its Secretary,
Ministry of Home Affairs,
New Delhi – 110 001.
- 2.Reserve Bank of India,
Represented by its Governor,
Head Office,
Mumbai, Maharashtra – 400 029.
- 3.National Cyber Crime Reporting Portal,
Represented by its Director,
National Highway – 8,
Mahipalpur,
New Delhi, pin – 110 037.
- 4.Station House Officer,
Cyber Crime Police Station,
Ganga Nagar,
Rajasthan.
- 5.The South Indian Bank,
Represented by Chief Manager,
No.64, Catholic Centre,
Armanian Street,



W.P.Nos.14809 and 14813 of 2024

Chennai – 600 001.

... Respondents in both W.Ps.

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Common Prayer:

Petitions filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the respondent fifth respondent to defreeze the current Account in A/C.No.0042073000005384 maintained by the petitioner in fifth respondent Bank.

For Petitioner : Mr.K.J.Shiva Arudhra
in both W.Ps.

For Respondents : Mr.Madhanagopal Rao for R1
R2 & R3 – NRN
Mr.Ambili Menon.P. for R5
in W.P.No.14809/2024

Mr.J.Madhanagopal Rao for R1
Mr.R.Sreedhar for R2
Mr.Ambili Menon.P. for R5
in W.P.No.14813/2024

COMMON ORDER

The petitioner has filed these writ petitions seeking issuance of Writ of Mandamus, directing the fifth respondent to defreeze the current Account in A/C.No.0042073000005384 maintained by the petitioner in fifth respondent Bank.



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2.The case of the petitioner is that the petitioner is doing business under the name and style of ELCO ENTERPRISES. The petitioner is having current account with the fifth respondent and his current account was suddenly freezed by the fifth respondent without any intimation to the petitioner. Immediately, the petitioner approached the fifth respondent and sought for explanation for freezing of his account and he was informed that a cyber complaint was lodged against some other person on the file of the fourth respondent and the said person is alleged to have purchased Air Condition and Sony Bravia Colour LED TV & Sony Sound Bar respectively, from the petitioner and the unknown accused was involved in cyber crime in online and has made transaction through the petitioner's account. Hence the petitioner has filed these writ petitions for the aforesaid relief.

3.The learned counsel appearing for the petitioner submitted that the petitioner's entire business transactions were done through the account maintained with the fifth respondent Bank and without assigning any reason and without passing any order in writing, the petitioner's account was freezed by the fifth respondent based on the information received from the fourth respondent, which is not



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sustainable one.

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4.It appears that based on the information received from the fourth respondent, the current account maintained by the petitioner was freezed by the fifth respondent without assigning any reason for freezing the account. Hence, the fifth respondent is directed to send communication to the petitioner stating the reason for freezing of the petitioner's current account, within a period of two weeks from the date of receipt of a copy of this order, so as to enable the petitioner to work out the remedy in the manner known to law.

5.This writ petitions are accordingly disposed of. No costs. Consequently, the connected miscellaneous petitions are closed.

04.09.2024

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Speaking Order/ Non Speaking Order
Index: Yes/ No
Internet: Yes/ No

Note to office:

Issue Order Copy
on 9.9.2024

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To

- 1.Union of India
Represented by its Secretary,
Ministry of Home Affairs,
New Delhi – 110 001.
- 2.Reserve Bank of India,
Represented by its Governor,
Head Office,
Mumbai, Maharashtra – 400 029.
- 3.National Cyber Crime Reporting Portal,
Represented by its Director,
National Highway – 8,
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- 4.Station House Officer,
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- 5.The South Indian Bank,
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M.DHANDAPANI,J.
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