



WEB COPY

W.P.No.17345 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.01.2024

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. No.17345 of 2018
and
W.M.P. No.20605 of 2018

1. K. Murugasamy
Tiruppur School for the Deaf

2. Sivaneshan S/o. Venkatachalam

... Petitioners

Vs.

1.The Regional Manager
Reserve Bank of India,
No.16, Rajaji Salai,
Chennai-600 001.

2. The Branch Head
Punjab National Bank
Corporate / Commercial Banking Branch,
No.54, Sabari Street,
Tiruppur – 641 601.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari calling for the records culminated in the 2nd respondent's impugned letter dated 21.06.2018 and quash the same as illegal.



WEB COPY

W.P.No.17345 of 2



For Petitioner : M/s. R. Prabhakaran
For Respondents : Mr. C. Mohan
for M/s. King and Partridge [for R1]
Mr. M.L. Ganesh [for R2]

ORDER

The communication sent by the Punjab National Bank dated 21.06.2018 came to be challenged in the present Writ proceedings.

2. The impugned communication reveals that the dispute amongst the Trustees / Signatories was in force during the relevant point of time and as per the legal advice given to the bank, they have freezed the account and informed the petitioners that they will have to solve the issues between the Trustees or produce the Court order enabling the bank to operate the account. The 1st petitioner claims that he is the founder Secretary, Managing Trustee and Correspondent of Tiruppur School for deaf. However, there was a dispute between the Trustees / Signatories and that being so, the bank has no power to defreeze the account, till such time, the disputes between the Trustees are resolved or an order of the competent Court of law for operation of account is produced. The disputes between the parties cannot be decided in the Writ proceedings. Thus, the Writ



W.P.No.17345 of 2

petitioners are at liberty to resolve the issues between the Trustees or approach the competent Court of law and produce any Court order from the competent Court of law for operation of account.

3. With this liberty, this Writ petition stands dismissed. No order as to costs. Connected miscellaneous petition is closed.

08.01.2024

Index : yes/no
Speaking order/Non-speaking order
Neutral Citation : yes/no
mjs

To

1. The Regional Manager
Reserve Bank of India,
No.16, Rajaji Salai,
Chennai-600 001.

2. The Branch Head
Punjab National Bank
Corporate / Commercial Banking Branch,
No.54, Sabari Street,
Tiruppur – 641 601.

S.M.SUBRAMANIAM, J.



WEB COPY



W.P.No.17345 of 2

mjs

W.P.No.17345 of 2018

08.01.2024