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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08-01-2024

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THE HONOURABLE MR.JUSTICE S.M. SUBRAMANIAM

WP No.17618 of 2020

1.R.Manoj Kumar

2.Neeta

.. Petitioners

-VS-

1.The Banking Ombudsman,
(Chennai Centre),
C/o.Reserve Bank of India,
Fort Glacis,
Chennai-600 001.

2.The Branch Manager,
HDFC Bank,
Nungambakkam Branch,
Chennai.

3.The Branch Manager,
HDFC Bank,
Pallikaranai Branch,
Chennai.



4. The Branch Manager,
HDFC Bank,
Nelson Manikam Road Branch,
Nungambakkam,
Chennai.

.. Respondents

Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of Writ of Mandamus, directing the first respondent to pass necessary order against respondents 2 to 4 for wrongly freeze the accounts of the petitioners and further direct the respondents 2 to 4 to de-freeze the abovesaid accounts.

For Petitioners : Mr.R.Subramanian

For Respondents-2 to 4 : Mr.C.Mohan for
M/s.King and Partridge.

ORDER

The relief sought for in the present writ petition is to direct the first respondent to pass necessary order against respondents 2 to 4 for wrongly freeze the accounts of the petitioners and further direct the respondents 2 to 4 to de-freeze the abovesaid accounts.



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2. The HDFC Bank is a Private Bank and therefore not the 'State' and no writ is entertainable.

3. More-so, the learned counsel appearing on behalf of the respondents 2 to 4 brought to the notice of this Court that the accounts stand in the name of the petitioners were frozen pursuant to the letter given by the Central Crime Branch of the Police Department. Therefore, the petitioners have to approach the Competent Court of Law for the purpose of securing orders to de-freeze their accounts.

4. Once the Bank received the order from the Police Authority, they are bound to act accordingly and in the present case, the accounts of the petitioners were frozen on account of such letter issued by the Police Department. Therefore, the petitioners are at liberty to approach the Competent Court of Law for the purpose of securing appropriate relief as such sought for in the present writ petition in the manner known to law.



5. With the above observations, the present writ petition stands dismissed. However, there shall be no order as to costs.

08-01-2024

Index : Yes/No
Internet: Yes/No
Speaking order/Non-Speaking order
Neutral Citation : Yes/No
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To

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S.M.SUBRAMANIAM, J.

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