



W.P.No.21931 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.08.2024

CORAM :

THE HONOURABLE MR. JUSTICE **M. DHANDAPANI**

W.P.No.21931 of 2024

K.Saravanan

... Petitioner

Vs.

1.The Banking Ombudsman,
Reserve Bank of India,
Fort Glacis,
Chennai – 600 001.

2.The Branch Manager,
IndusInd Bank,
P.H. Road,
Nungambakkam Branch,
Chennai – 600 084.

3.IndusInd Bank Limited,
Registered Office,
No.2401, General Thimmayya Road,
Maharashtra,
Pune – 411 001.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the first respondent to take suitable legal action as against the second and third respondents so as to de-freeze the petitioner's savings bank account bearing



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No.169840003555 with the second respondent by considering the petitioner's representation dated 16.07.2024.

For Petitioner : Mr.C.Munusamy

ORDER

This Writ Petition has been filed seeking for a Writ of Mandamus, to direct the 1st respondent to take suitable legal action as against the second and third respondents so as to de-freeze the petitioner's savings bank account bearing No.169840003555 with the second respondent by considering the petitioner's representation dated 16.07.2024.

2. The case of the petitioner is that, he is having saving account bearing No.169840003555 in the 2nd respondent bank from the year 2017. All of a sudden, the 3rd respondent had issued a letter to the petitioner through e-mail on 09.07.2024 informing him that his savings account has been asked to freeze by a complaint from respective State Police advising and authorizing them to freeze. However, the petitioner never involved in any kind of police complaint and no one has given



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complaint against the petitioner. Hence, the petitioner has given a representation dated 16.07.2024 to the respondents through e-mail requesting them to de-freeze the account. Since the same was not considered, the petitioner has filed the above writ petition before this court for appropriate orders.

3. Though very many grounds have been raised in this writ petition, the learned counsel for the petitioner submits that, it would suffice, if this Court issues a direction to the 1st respondent to take suitable legal action as against the respondents 2 and 3 to de-freeze the petitioner's savings bank account bearing No.169840003555 with the 2nd respondent by considering the petitioner's representation, dated 16.07.2024, within a time frame that may be fixed by this Court.

4. Admittedly, the petitioner is having saving account bearing No.169840003555 in the 2nd respondent bank from the year 2017. Whiles, the 3rd respondent had issued a letter through e-mail on 09.07.2024 informing that his account has been asked to freeze by a complaint from respective State Police advising and authorizing them to



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freeze the bank account. Since it is the claim of the petitioner that he never involved in any kind of police complaint and no one has given complaint against the petitioner, he has made representation dated 16.07.2024 to the respondents claiming that the respondents 2 and 3 has power to de-freeze the petitioner's bank account. However, the petitioner has to challenge the order of the 3rd respondent freezing his bank account for de-freezing the bank account. Without doing so, filing the present writ petition seeking de-freezing the bank account, is *per se* unsustainable. Hence, the prayer sought for by the petitioner cannot be granted and this writ petition is liable to be dismissed.

5. Accordingly, this Writ Petition is dismissed. However, liberty is granted to the petitioner to challenge the order dated 09.07.2024 freezing the petitioner's bank account. No costs.

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Index : Yes / No
Speaking order / Non-speaking order
Neutral Citation Case : Yes / No
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M.DHANDAPANI, J.

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