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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.10.2024

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.21193 of 2024

E.Veeramani

... Petitioner

Vs.

1. The Union Bank of India,
Corporate Office,
239, Vidhan Bhavan Marg,
Mumbai.

2. The Regional office,
Union Bank of India,
No.139, Broadway, F.B.No.1931,
Chennai.

3. The Branch Manager,
Union Bank of India,
Mahendra City Branch,
Chengalpattu.

4. The Nova House Owners Association,
Rep. By its President,
Mahindra World City,
Chengalpattu District.

... Respondents

Prayer: This Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus directing the 3rd respondent to de-freeze the account of the Nova House owners Association and release the payments for the existing vendors till the registration of the new association and take charge of the new executive members.



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For Petitioner
For Respondent

: Mr.Krishnasamy Chinnasamy
: Mr.A.Jaishankar, RR1 to 3
R4- No appearance

ORDER

This petition has been filed seeking a direction to the 3rd respondent to de-freeze the account of the Nova House owners Association and release the payments for the existing vendors till the registration of the new association and take charge of the new executive members.

2. It is the case of the petitioner that the petitioner is the owner of the flat in the Nova Apartments, Mahindra World City/4th respondent. The petitioner and others have made a complaint before the Bank Manager on 04.04.2024 to verify the records of the authorized signatory but the bank manager refused to do so and colluded with the executive members delayed to take action and two months later the bank manager freezed the account on a collaborative plan. Immediately, the President resigned from his position and Treasurer sold his flat and escaped. The petitioner and others have planned to form a new association and registered the same through online. On 09.07.2024, they have sent a letter to the District Registrar to conduct a detail enquiry and dissolve the association as defunct and registered the new association. The association is now facing



serious financial issues in paying the amount to their vendors due to freezing the 3rd respondent bank account of the association. Hence, the petitioner made a representation to the 3rd respondent to release the payment to the existing vendors till the registration of the new association and the same is not considered. Hence, the present writ petition.

3. The learned counsel for the petitioner submitted that this court has already issued a direction to the petitioner for registration of the new association. After registration, this court may grant liberty to make a fresh representation to the third respondent to open the new account for the association.

4. Heard the learned counsel for the petitioner and the learned Counsel appearing on behalf of the respondents and perused the materials available on record.

5. Considering the facts and circumstances of the case and in view of the limited request sought for by the petitioner, this Court directs the petitioner to make a fresh representation along with all the relevant documents and also a copy of this order to the third respondent to open the new account for the



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M.DHANDAPANI,J.

Rli

association. Upon, receipt of such representation, the 3rd respondent is directed to allow the petitioner to open the account if the association has been registered under Societies Registration Act within a period of four weeks thereafter.

6. With the above directions, the writ petition stands disposed of. No costs.

01.10.2024

To

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