



W.P.(MD)No.25961 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **28.10.2024**

CORAM:

THE HONOURABLE **MR.JUSTICE ABDUL QUDDHOSE**

W.P.(MD)No.25961 of 2024

and

W.M.P.(MD)No.22028 of 2024

Selvaraj

... Petitioner

/Vs./

1.The Branch Manager,  
Canara Bank,  
Kuzhithurai Branch,  
Kuzhithurai,  
Kanyakumari District.

2.The Inspector of Police,  
PEW-Thuckalay Police Station,  
Thuckalay,  
Kanyakumari District.

... Respondents

**PRAYER:** Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1<sup>st</sup> respondent to de-freeze the petitioner's account No.0960101020715 and Gold Jewel Loan Account bearing No.180336344551 maintained in the 1<sup>st</sup> respondent bank by



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considering the petitioner's representation dated 16.10.2024 within a time frame that may be fixed by this Court.

For Petitioner : Mr.S.C.Herold Singh

For Respondents : Mr.C.Deepak (R1)

Standing Counsel

Mr.Vaikkam Karunanithi (R2)

Government Advocate

### **ORDER**

This writ petition has been filed for a mandamus, seeking for a direction to the first respondent to defreeze the petitioner's bank account bearing No. 0960101020715 and gold jewel loan account bearing No. 180336344551 maintained by the petitioner with the first respondent bank, based on the petitioner's representation dated 16.10.2020 within a time frame to be fixed by this Court.

2. Heard Mr.S.C.Herold Singh, learned counsel appearing for the petitioner, Mr.C.Deepak, learned standing counsel appearing for the first



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respondent, and Mr.Vaikkam Karunanithi, learned Government Advocate appearing for the second respondent.

3. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

4. The petitioner claims that he is innocent and therefore, his bank account cannot be freezed by the first respondent and he should also be permitted to discharge his gold jewel loan account. The petitioner has given a representation on 16.10.2024 to the first respondent for the aforementioned purpose. Since the representation has not been considered, he has filed this writ petition.

5. No prejudice will be caused to the first respondent bank, if the petitioner's representation seeking for de-freezing his bank account and for discharging of his gold jewel loan account, on payment of the outstanding amount due to the first respondent bank is considered on merits and in accordance with law, within a time frame fixed by this Court.



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6. This Court is not expressing any opinion on the merits of the petitioner's representation. It is for the first respondent to consider the petitioner's representation on merits.

7. For the foregoing reasons, this Court directs the first respondent to pass final orders on merits and in accordance with law, on the petitioner's representation dated 16.10.2024 seeking for de-freezing his bank account bearing no. 0960101020715 maintained with the first respondent bank and for discharging of his gold jewel account bearing account no. 180336344551 on payment of the outstanding amount due to the first respondent bank, within a period of three weeks from the date of receipt of a copy of this order.

8. With the aforesaid direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

**28.10.2024**

Index : Yes / No  
NCC : Yes / No  
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**TO:-**

- 1.The Branch Manager,  
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**ABDUL QUDDHOSE, J.**

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Order made in  
W.P.(MD)No.25961 of 2024

Dated:  
28.10.2024