



W.P.(MD)No.26394 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 03.12.2024

CORAM:

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD)No.26394 of 2024

and

W.M.P.(MD)Nos.22360 and 22362 of 2024

J.Sahaya Vanitha

... Petitioner

Vs.

1.The Manager,
Indian Overseas Bank,
Manavalakurichi Branch,
Kanyakumari District.

2.The Inspector of Police,
Cyber Crime Cell,
2nd Floor,
Thana Kotwali Nagar,
Ghaziabad,
Uttar Pradesh State.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondent No.1 to consider the petitioner's representation dated 17.10.2024 and defreeze the petitioner's savings account No.133501000013599 with Indian Overseas Bank, Manavalakurichi Branch, Kanyakumari District.

For Petitioner	: Mr.T.Wins
For 1 st Respondent	: Mr.N.Dilip Kumar
For 2 nd Respondent	: No Appearance



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ORDER

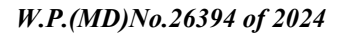
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This Writ Petition is filed, seeking to direct the 1st respondent to consider the petitioner's representation dated 17.10.2024 and thereafter, defreeze his savings account No.133501000013599 with Indian Overseas Bank, Manavalakurichi Branch, Kanyakumari District.

2.Heard the learned counsel for the petitioner, the learned Standing Counsel for the first respondent and carefully perused the entire materials available on record.

3.When the matter was taken up for hearing on 18.11.2024, the learned Standing Counsel for the first respondent on instructions submitted that they have received a communication from the Cyber Crime Cell, UP Police, Ghaziabad. Only on that basis, the petitioner's account is freezed. On such submission, this Court directed the first respondent to place before this Court, the communication received from the second respondent.

4.Today when the matter came up for hearing, the learned Standing Counsel produced an email received from Mail ID cybercrimegz-up@nic.in from Cyber Crime Cell, Uttar Pradesh Police, Ghaziabad, requiring the Bank to freeze as many as 16 accounts, in



5.A careful perusal of the said email would reveal that except as to the number of FIR No.505 of 2023, no other details either as to the nature of the complaint received or as to the details of the complainant has been provided by the second respondent in the aforesaid mail. The said mail was received on 24.11.2023. The petitioner had made a representation dated 17.10.2024 in this regard, requesting the first respondent to defreeze the savings bank account, claiming innocence as to the allegation in the aforesaid mail. However, amount of fraud has also not been mentioned in the aforesaid mail and this has caused unforeseen difficulty for the petitioner to operate his bank account maintained by the first respondent.

6.The petitioner had already issued notice upon the second respondent and the intimation was also filed and since none appeared on behalf of the second respondent, this Court is of the considered view that the first respondent shall consider the petitioner's representation dated 07.10.2024 and defreeze the petitioner's account.



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7. Accordingly, this Writ Petition is disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

03.12.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes
Mrn

To

1. The Manager,
Indian Overseas Bank,
Manavalakurichi Branch,
Kanyakumari District.



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L.VICTORIA GOWRI, J.

Mrn

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