

IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 25-08-2025**

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CORAM

**THE HONOURABLE MR JUSTICE N. ANAND VENKATESH**

**WP No. 32512 of 2025**

1. Dhanasekaran M  
S/o Murugesan, No.30/82, 3rd  
Main Road, Nehru Nagar,  
Kattivakkam, Ennore,  
Chennai - 600057

Petitioner(s)

Vs

1. Axis Bank Ltd  
Chennai Circle Office, 2nd Floor,  
No. 3, Club House Road, Chennai  
600 002.

2.Mr. K. Suresh Kumar  
Operations Head Of Axis Bank,  
Chennai Main Branch No. 82, Dr  
Radhakrishnan Salai, Mylapore,  
Chennai 600 004

3.Mrs. V. Shalini  
Arbitrator No.650, W Block,  
Model Lane Housing Board,  
Cemetery Road, Chennai 600 021

4.M/s Chamber Of Arbitration  
And Mediation (cam)  
No.9, Eldams Square, 167  
Eldams Road, Alwarpet,  
Chennai - 600 018



5. Reserve Bank Of India  
Fort Glacis, 16 Rajaji Rd, Fort St  
George, Chennai - 600001

6. M/s Tvs Credit Services Limited  
Chaitanya, No.12, Khader  
Nawaz Khan Road,  
Nungambakkam, Chennai - 600  
006 And Customer  
Correspondence Office At 3rd  
Floor, Bristol Towers, Plot No.10,  
South Phase Thiru-vi-ka  
Industrial Estate, Adjacent To  
Maruti Service Masters, Guindy,  
Chennai 600 032

Respondent(s)

**PRAYER**

Writ petition filed under Article 226 of Constitution of India for the issuance of writ of Mandamus i) directing the 5th respondent to direct the 1st Respondent to immediately unfreeze my bank account bearing Account Number 911010016140653 or, ii) Direct the 5th Respondent to frame and implement binding guidelines preventing banks from freezing account as an arbitral action and pass orders.

For Petitioner(s): Mr. Antony R. Julian  
For Mr. Aiyar and Dolia for R5  
Respondent(s):

**ORDER**

This writ petition has been filed for the issue of writ of Mandamus directing the 5<sup>th</sup> respondent to issue direction to the 1<sup>st</sup>



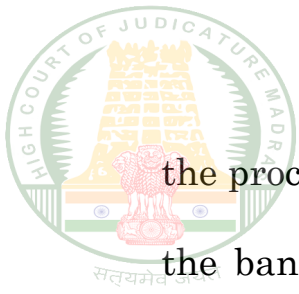
respondent to defreeze the bank account of the petitioner.

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2. This Court has carefully considered the submissions made by the learned counsel appearing for the petitioner and the materials available on record.

3. The petitioner is aggrieved by the order passed by the Arbitral Tribunal in IA No.2056 of 2025 dated 26.06.2025 wherein the 6<sup>th</sup> respondent has straight away appointed an arbitrator and the Arbitrator has passed an order by directing the bank account maintained by the petitioner in the 1<sup>st</sup> respondent bank to be freezed. According to the petitioner, this procedure adopted is illegal and the 6<sup>th</sup> respondent has unilaterally appointed an arbitrator and such an order has been passed.

4. In the considered view of this Court, the grounds that have been raised by the petitioner deserves consideration. However, it cannot be dealt with in a writ petition under Article 226 of Constitution of India. The Arbitral Tribunal will also come within the superintendence of the High Court under Article 227 of the Constitution of India. Therefore, if there is a patent illegality and



the process of Arbitration is being misused for the purpose of freezing the bank account of the petitioner and that too with the aid of an arbitrator, who was unilaterally appointed by the 6<sup>th</sup> respondent, it will run counter to the judgement of the Constitution bench in *[Central Organisation for Railway Electrification Vs. ECI Spic SMO MCML (JV) A joint Venture Company]* reported in 2025 1 MLJ 289. Hence, liberty is granted to the petitioner to file an appropriate petition before the appropriate forum and work their remedy in the manner known to law.

5. This writ petition is disposed of in the above terms. No costs.

**25-08-2025**

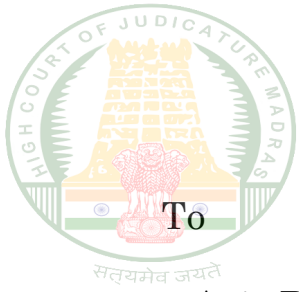
rka

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No



To

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**N.ANAND VENKATESH J.**

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