



W.P.(MD) No.3110 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.02.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD) No.3110 of 2025

Kallar Kalvi Kazhagam,
Represented by its Secretary,
P.Pandian.

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Petitioner

Vs

1 The Banking Ombudsman,
Reserve Bank of India,
Fort Glacis, 16, Rajaji Road,
Fort St. George,
Chennai - 600 001.

2 The Branch Manager,
Indian Bank,
Usilampatti Branch,
Madurai District.

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Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a writ of certiorari, to call for the records pertaining to the proceeding, dated 27.01.2025, issued by the 2nd respondent vide IB/USILAMPATTI/2024-25 and quash the same as illegal.



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For Petitioner : Mr.C.Senthil Murugan

For Respondents : Mr.C.Karthick

ORDER

This Writ Petition is filed, seeking to quash the proceedings of the second respondent, dated 27.01.2025, vide IB/USILAMPATTI/2024-25.

2. According to the petitioner, it is a society, governed by its own bye-laws. The society is maintaining a Bank Account with the second respondent Bank vide Account No.953939478 and through the said account, the petitioner is maintaining the day-do-day affairs of the society. That being so, the second respondent, without any notice, has withheld the Bank Account of the Society, by way of the impugned order. In view of the said freezing of the account, the petitioner is unable to operate the Bank Account and administer the society. Therefore, the petitioner has approached this Court by way of this Writ Petition.

3. The order impugned, dated 27.01.2025, would indicate that the Bank Account of the petitioner Society was temporarily frozen, following the complaint of one M.Chinnan. It is also clear from the said order that the



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petitioner was not issued with any notice before passing the impugned order, by the second respondent. Therefore, there was a clear violation of principles of natural justice. By the order impugned, the second respondent requested the petitioner to provide the details of the bye-laws of the Society and other necessary documents for removal of the frozen account. It is the specific case of the petitioner that because of the freezing of the account of the society, the petitioner is unable to operate the Bank Account, to meet the day-to-day expenses of the society.

4. In view of the above facts and circumstances of the case, the order impugned, dated 27.01.2025, is set aside and the matter is remanded to the second respondent to pass orders afresh on merit and in accordance with law, after affording an opportunity of hearing to the petitioner and also other interested parties, if any, within a period of two months from the date of receipt of copy of this order, uninfluenced by any of the observations made in this order. Also, this Court has not expressed any opinion on the merits of the matter. The petitioner can also produce bye-laws of the society and other necessary documents, as requested by the second respondent, for removal of the frozen account. The parties are directed to cooperate with the authority during the enquiry.



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5. The Writ Petition is disposed of accordingly. No costs.
Consequently, the connected W.M.P.(MD) Nos.2174 and 2176 of 2025 are closed.

24.02.2025

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

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To:

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VIVEK KUMAR SINGH, J.

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