



**W.P.(MD)No.5303 of 2025**

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**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 27.02.2025**

**CORAM:**

**THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH**

**W.P.(MD)No.5303 of 2025**

**and**

**W.M.P.(MD)No.3892 of 2025**

K.Karthikeyan,  
S/o.Kuthalingam,  
Proprietor of K.K.Rice Mill.

... Petitioner

-VS-

1.The Reserve Bank of India,  
Represented Through its Banking Ombudsman,  
Fort Glacis, Chennai - 600 001.

2.ICICI Bank, Melapavoor Branch,  
Represented Through its Branch Manager,  
10/688, Surandai Road,  
Pavoorchathiram,  
Tenkasi District - 627 806.

... Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first respondent to consider the representation dated 17.02.2025 to immediately stop the unauthorized debits from the petitioner's bank account by the second respondent and take action against the second respondent bank in accordance with law.



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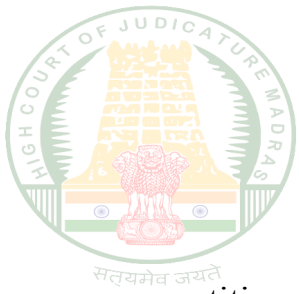
For Petitioner : Mr.S.Mukesh  
For R2 : Mr.V.Veerapandian  
Standing Counsel

### **ORDER**

This Writ Petition has been filed seeking a direction to the first respondent to consider the representation of the petitioner, dated 17.02.2025 and immediately to stop the unauthorized debits from the petitioner's bank account by the second respondent and take action against the second respondent bank in accordance with law.

2. By consent, this Writ Petition is disposed of, at the admission stage itself.

3. The petitioner claims to be the proprietor of K.K.Rice Mill. Initially, the petitioner availed a loan from Axis Bank, which was later transferred to the second respondent bank. The transfer of the loan was completed on 22.06.2024. However, due to delay in receiving the title deeds from the Axis Bank, the second respondent bank imposed an unexpected fine of Rs.1,605.02 on 11.07.2024 for alleged non-compliance. Upon receiving the documents from the Axis Bank, the



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petitioner complied with all the terms, including registering the Memorandum of Deposit of Title Deeds by 31.07.2024. Despite the same, the second respondent bank debited unauthorized amounts from the petitioners account, totaling ' Rs.3,00,625.54 as of 19.02.2025. Therefore, the petitioner has sent legal notices and filed a complaint with the respondents, but the unauthorized deductions continued. Hence, the petitioner sent a representation dated 17.02.2025 to the first respondent, directing the second respondent to stop the unauthorized debits immediately and take action against the second respondent bank. Since no action has been taken, the petitioner has now filed the present Writ Petition.

**4. Heard both sides.**

**5.** It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon him to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-consideration of the representation by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of the Constitution of India and direct them to consider the same within a stipulated time.



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6. In the light of the above observations, there shall be a direction to the first respondent herein to consider the petitioner's representation dated 17.02.2025, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner and the second respondent, within a period of two months from the date of receipt of a copy of this order. It is also made clear that this Court has not expressed any of its views with regard to the merits of the matter and that it is open to the first respondent to consider the same on its own merits.

7. With the above directions, the Writ Petition stands disposed of. There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

NCC : Yes / No  
Index : Yes / No  
smn2

**27.02.2025**

To:-

The Banking Ombudsman,  
Reserve Bank of India,  
Fort Glacis, Chennai - 600 001.



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**VIVEK KUMAR SINGH, J.**

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