



W.P.(MD) No. 5961 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.(MD) No. 5961 of 2025
and
W.M.P.(MD) No.4354 of 2025

R.Jeyanthi

... Petitioner

Vs.

1. The Reserve Bank of India,
The Chief Grievances Redressal Officer,
First Glacis,
Chennai 600 001.

2. State Bank of India,
Nodal Officer,
Local Head Office Circle,
Top House, 16, College Lane,
Chennai 600 006.

3. The Branch Manager,
State Bank of India, Branch Code (001645),
Ayyampalayam,
Dindigul District.

4. Pitchai

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for



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issuance of Writ of Certiorarified Mandamus calling for the records pertaining to the impugned order passed by the first respondent vide his Proceedings in RBI/CMS/N202425023678899/2024-2025 dated 13.02.2025 and quash the same as illegal and to direct the third respondent to return the Deposit amount of the Petitioner in account Number 31664083641.

For petitioner : Mr. J.Thirupathiraj

For respondents : Mr.K.R.Laxman for R1
Mr.N.Dilip Kumar for R3

ORDER

This Writ Petition is disposed of at the time of admission with the consent of the learned counsel for the petitioner, learned counsel for the first respondent and the learned counsel for the third respondent.

2. Notice served on the fourth respondent has been returned with an endorsement “Left and awaiting service of notice on the fourth respondent. Since no adverse orders are proposed to be passed against the respondents 2 and 4, the necessity to issue fresh notice on the respondents 2 and 4 is dispensed with.



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3. This Writ Petition is predicated on the ground that the petitioner had made a fixed deposit for a sum of Rs.2,00,000/- on 13.07.2017 and thereafter, a sum of Rs.8,00,000/- on 14.07.2017 and both the amounts were deposited in the account No.31664083641 with the third respondent/Bank.

4. It is submitted that when the petitioner went to encash the aforementioned deposited amount, the Bank has refused to allow the petitioner to encash the same. Therefore, the petitioner approached the RBI Ombudsmen, who, by an impugned order, dated 13.02.2025, has rejected the complaint filed by the petitioner to take action against the third respondent/Bank.

5. The learned counsel for the third respondent submits that the petitioner had participated in the auction held under the provisions of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act (SARFAESI) Act, 2002 r/w SARFAESI Security interest (Enforcement) Rules, 2002 and that the petitioner, who was the successful bidder, had deposited the aforesaid sum of Rs.10,00,000/- and however, failed to pay the balance amount.



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Hence, the amount paid was forfeited.

6. In this connection, the learned counsel for the third respondent has also filed a copy of the letter, dated 07.12.2017 of the petitioner sent to the third respondent Bank, wherein she has informed that she was unable to pay the amount in time after the auction was held and that amount will be paid by the within December 2017, content of which is extracted below:

□(15.11.2012) அன்று சுமதி ஆக்ரோ என்ற பண்ணையை ரூ.1,20,00,000/-. க்கு Auction இல் எடுத்தேன். என்னால் வாங்கி கொடுத்த தேதியில் பணத்தை கட்ட இயல வில்லை. ஏனெனில் எனது கணவருக்கு Accident ஆனதால் பணம் கொடுக்க முடிய வில்லை. இந்த மாத இறுதிக்குள் முழுதொகையும் கட்டி “சுமதி ஆக்ரோ வாரம்□ ஐ பெற்றுக் கொள்கிறேன்□

7. It is informed by the learned counsel for the petitioner that he is unaware of the above.

8. Having considered the learned counsel for the petitioner, learned counsel for the first respondent and the learned counsel for the third respondent, I find no



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merits in the present Writ Petition. In fact the third respondent has appropriated the amount paid by the petitioner on the two days mentioned above, strictly after issuing notice that was issued before auctioning the property, which was securitized under the provisions of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act (SARFAESI) Act, 2002 r/w SARFAESI Security interest (Enforcement) Rules, 2002. Therefore, this Writ Petition is liable to be dismissed.

9. Accordingly, this Writ Petition is dismissed. No costs. Consequently, connected M.P. is closed.

Index : Yes / No

16.07.2025

Internet : Yes / No

apd

To

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C.SARAVANAN, J.

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