



W.P.(MD)No.7737 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.03.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.7737 of 2025

Jarina Begum Akbersha

: Petitioner

Vs.

1. The Branch Manager,
Indian Bank,
Rajagopalapuram Branch,
268, Housing Unit,
Rajagopalapuram - 622003.

2. The State of Maharashtra,
Rep. by the Police Inspector,
Pcpc. Chikhli Police Station,
Sn 1, Sr N 5, Hn 180/a, Dnyanoba Niwas,
Purnanagar, Rahatani, Pune,
Maharashtra - 41.

: Respondents

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 1st Respondent herein to de-freeze the petitioners Bank account bearing No. 6068766019 lying with the 1st Respondent bank to enable her to operate the same, by considering her representation dated 03.02.2025.

For Petitioners : Mr.D.Baskar

For Respondents : Mr.C.Karthik for R1



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ORDER

This Writ Petition has been filed seeking a direction to the first respondent to de-freeze the petitioner's bank account bearing No. 6068766019, thereby enabling her to operate the account, in consideration of her representation dated 03.02.2025.

2. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself. Having regard to the nature of the order proposed to be passed in this writ petition, notice to the first respondent is dispensed with.

3. In response to the request made by the second respondent, the first respondent bank froze the petitioner's bank account on the ground that an unaccounted sum of Rs.1,00,000/- was credited to the petitioner's account. In this regard, the petitioner submitted a representation to the first respondent, requesting the de-freezing of the account. However, since no action has been taken, the petitioner has now filed the present writ petition.



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4. 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.

5. In the light of the above observations, there shall be a direction to the first respondent to consider the petitioner's representation dated 03.02.2025, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner, as well as all other persons, who may be interested in the subject matter, within a period of eight weeks 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.



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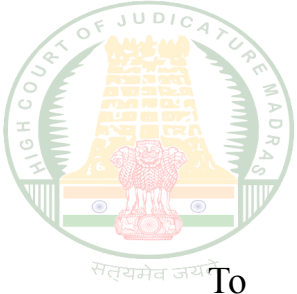
6. With the above directions, the Writ Petition stands disposed of. There shall be no order as to costs.

24.03.2025

Index : Yes / No

Internet : Yes / No

PKN



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VIVEK KUMAR SINGH, J.

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