



W.P.(MD).No.9337 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 04.04.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.9337 of 2025

Sowrirajan

... Petitioner

-VS-

1. The Branch Manager,
Tamil Nadu Mercantile Bank,
Virudhunagar Branch,
Virudhunagar.

2. The Union of India,
Represented by the Inspector of Police,
Cyber Crime Police Station,
Saket,
New Delhi (Humera Saikh).

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st respondent herein to de-freeze the bank Account maintained by the petitioner with the 1st respondent bank vide Account No.004100050328286, by considering petitioner's representation dated 10.03.2025.

For Petitioner : Mr.S,Veerapandiselvaraj



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ORDER

This writ petition has been filed seeking a direction to the 1st respondent herein to de-freeze the bank Account maintained by the petitioner with the 1st respondent bank vide Account No.004100050328286, by considering petitioner's representation dated 10.03.2025.

2. Considering the nature of the order going to be passed in this writ petition, notice to the respondents is dispensed with and this writ petition is disposed at the stage of admission itself.

3. The petitioner is the account holder of the first respondent bank and his bank account was freezed by the first respondent, without even prior notice and on enquiry, he came to know that the first respondent received a complaint with regard to online fraud, where a sum of Rs.2,99,500/- has been credited to the petitioner's savings bank account. The petitioner's contention is that there is no such money credited to the petitioner's bank account. Therefore, the petitioner made a representation dated 10.03.2025 to the first respondent, seeking the aforesaid relief. Since the same has not been considered, this writ petition has been filed.



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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 10.03.2025, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner and the third respondent as well as all other persons, who may be interested in the subject matter, within a period of six 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 respondents to consider the same on its own merits.



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

04.04.2025

NCC : Yes/No
Index : Yes / No
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TO:-

1. The Branch Manager,
Tamil Nadu Mercantile Bank,
Virudhunagar Branch,
Virudhunagar.



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VIVEK KUMAR SINGH, J.

sm

Order made in
W.P.(MD)No.9337 of 2025

Dated:
04.04.2025