



W.P.(MD)No.29916 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.02.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.29916 of 2023

S.Thirupathi

: Petitioner

Vs.

1. The Senior Zonal Manager,
Canara Bank,
Circle Office,
Madurai.

2. The Branch Manager,
Canara Bank,
Vikramangalam Branch,
No.3/263a, Karuppu Kovil Street,
Vikramangalam, Madurai.

3. The Sub-Inspector of Police,
Vikramangalam Police Station,
Vikramangalam,
Madurai.

: Respondents

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the Respondents No.1 and 2 to permit the petitioner to get back the jewels which was pledged in Petitioners savings account in Account No.1463101010349 maintaining with Respondent No.2 Branch before due date on 08.01.2024 and consequently direct the Respondents No.1 and 2 to de-freeze the petitioners savings account by considering her Representation dated 06.12.2023 within the time stipulated as fixed by this Hon'ble



Court.
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For Petitioners : Mr.S.M.Ramasiva

For Respondents : Mr.V.S.Karthi for R1 & R2

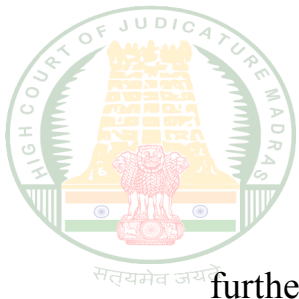
Mr.K.Gnanasekaran

Government Advocate for R3

ORDER

The petitioner has filed this Writ Petition seeking a mandamus to the respondents 1 and 2 to permit the petitioner to get back the jewels which was pledged in her savings account in Account No. 1463101010349, maintaining with the second respondent Branch before due date on 08.01.2024 and consequently, direct the respondents 1 and 2 to de-freeze the petitioner's savings account by considering her representation dated 06.12.2023 within a time frame.

2. The learned counsel for the petitioner submitted that the third respondent had registered a false complaint against her son, Akilan, under the NDPS Act. In that case, the petitioner was not an accused and was not involved in any of the alleged offences. However, the respondents froze the petitioner's savings account, preventing him from redeeming the pledged jewels belonging to his daughter. The counsel



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further submitted that these jewels were not connected to the criminal case against his son. In this regard, the petitioner submitted a detailed representation on 18.11.2023 requesting to de-freeze the savings account. Since no action has been taken on this request, the petitioner has now filed the present Writ Petition.

3. The learned counsel for the respondents 1 and 2 submitted that at the instigation of the third respondent, the savings account of the petitioner has been freezed.

4. The learned Government Advocate appearing on behalf of the respondent police would submit that a complaint was duly registered against the petitioner's son under the NDPS Act, based on the allegations and evidence available at the time. The freezing of the petitioner's savings account was carried out in accordance with the law, as part of the investigation process and to ensure that the proceeds of crime were not misused and accordingly, he sought for dismissal of this writ petition.

5. Heard the learned counsel for the parties.



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6. When this Court is not satisfied with the submissions of the learned counsel for the petitioner, the learned counsel submitted that the petitioner is an elderly person who receives her monthly pension only through the said savings account and therefore, he prays that the second respondent bank be directed to release the petitioner's monthly pension.

7. This Court, taking into consideration the submissions made by the learned counsel for the petitioner and also considering the petitioner's age and the critical need of his pension to support her livelihood, directs the second respondent Bank to release the petitioner's monthly pension to meet her basic needs. It is made clear that this Court has not gone into any other aspects of the writ petition and it is limited to the immediate release of the petitioner's monthly pension alone.

8. The Writ Petition stands disposed of on the above terms.
There shall be no order as to costs.

19.02.2025

Index : Yes / No



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Internet : Yes / No

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VIVEK KUMAR SINGH, J.

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