



W.P(MD)No.30418 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.10.2025

CORAM

THE HONOURABLE MS.JUSTICE P.T.ASHA

Writ Petition(MD)No.30418 of 2025

A.Guruvammal

... Petitioner

Vs

1.The Regional Manager,
Indian Overseas Bank,
No.8/2, 8/3 1st and 2nd floor,
Chithambara Nagar 1st Street,
Thoothukudi District.

2.The Branch Manager,
Indian Overseas Bank,
Nagalapuram,
Thoothukudi District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus to direct the second respondent to defreeze the petitioner's bank account bearing No.028201000021385 maintained with the second respondent and permit the petitioner to withdraw a sum of Rs.9.072/- based on the representation dated 22.09.2025 within a time limit stipulated by this Court.



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For Petitioner : Mr.A.Sheiknasurdeen

For Respondents : Mr.N.Dilipkumar

ORDER

This Writ Petition is filed for a Writ of Mandamus to direct the second respondent to defreeze the petitioner's bank Account bearing No. 028201000021385 in the Indian Overseas Bank, Nagalapuram, on the basis of the petitioner's representation dated 22.09.2025.

2. The facts leading to the filing of the petition are as follows:

The petitioner is having an account bearing No.028201000021385 maintained in the Indian Overseas Bank, Nagalapuram. On 30.06.2025, when the petitioner attempted to withdraw the amount, he could not operate his account. Upon enquiry, the Bank informed him that on the instructions of the Cyber Cell of the respondent bank, his account was frozen and a sum of Rs.9,072/- has been marked as a lien based on the complaint Nos. 32906250035389 and 22906250047413. Without issuing any prior notice or communication, the respondent bank has frozen his account. Therefore, the petitioner has sent a representation to the second respondent explaining the



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facts and requesting to defreeze his account. However, no step has been taken on his representation. Hence, he has filed this writ petition seeking aforesaid prayer.

3. The learned counsel appearing for the petitioner would submit that the petitioner is not an accused in any criminal case. Even assuming that there were two suspicious transactions, namely, the credit of Rs.4,536/- each, the act of the second respondent in freezing the entire account is illegal and violates the fundamental rights of the petitioner. Further, the petitioner's account was frozen, without issuing any prior notice or communication to him, which breached the contract with the petitioner.

4. Per contra, Mr.N.Dilipkumar, learned counsel appearing for the respondents would submit that the account of the petitioner was frozen on the basis of the instructions of the Cyber Cell of the respondent bank that there were two suspicious transactions namely the credit of the amounts referred to above. He also produced a communication dated 03.10.2025 issued by the second respondent to the petitioner, wherein it is seen that the petitioner was



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asked to explanation about the source of funds and his KYC i.e., Aadhar, PAN and Passport size photo and upon receiving the same, the status of the complaint will be updated.

5. On perusal of the records, it is clear that there is nothing on record to show that the Cyber Cell of the respondent bank had requested the second respondent to freeze the entire account. Even according to the second respondent, only a lien was marked for Rs.9,072/-. However, the learned counsel appearing for the petitioner would submit that the entire account was frozen and the petitioner is unable to operate the account.

6. It is seen that in similar circumstances, this Court had observed that when the alleged fraudulent amount is quantified, the freezing of the whole account cannot be done by the Bank. Similar view was taken by the learned Single Judge of this Court in W.P.(MD).No.15684 of 2024 dated 15.07.2024, wherein, it was held that:

“3. The respondent is permitted to retain the aforesaid sum by marking lien on the petitioner's account. Subject to such marking of lien, the petitioner



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is permitted to operate their bank account. The freezing effected on the petitioner's bank account is lifted to the aforesaid extent. This writ petition stands allowed . No costs. Consequently, connected miscellaneous petitions are closed.”

7. Accordingly, this writ petition is disposed of on the following directions:

(a). The second respondent / Bank shall mark a lien only for a sum of Rs.9,072/- (Rs.4,536/- + Rs.4,536/-) and permit the petitioner to operate the account forthwith:

(b). The petitioner is at liberty to move the concerned Jurisdictional Magistrate for recall of the lien marked over the said amount of Rs.9,072/- (Rs.4,536/- + Rs.4,536/-), if he is so advised.

8. Before parting with this case, this Court also would like to make the following observations:

There are several petitions filed by persons whose accounts have been frozen by the Banks without any prior intimation or information. In most of the



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cases, the account holders are not accused of any criminal offence. They are only recipients of money sent by certain persons who may not be accused of any offence, or by persons who themselves had received money from the accused persons. The persons whose account are frozen are often not even aware of the reasons for such action. Therefore, whenever the Bank receives a communication from the Investigating Officer, it shall act strictly in accordance with the contents of such communication and shall not freeze the entire account unless specifically directed. In all such cases whenever any action is taken by the Bank, the Branch Manager shall forthwith communicate to the account holder both the communication received from the Investigating Officer and the action taken by the Bank, so as to enable the account holder to seek appropriate remedy.

No costs.

29.10.2025

NCC : Yes/No

Index : Yes/No

Rmk



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To
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P.T.ASHA, J.

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