

W.P.(MD) No.31026 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.06.2025

CORAM

THE HON'BLE MR.JUSTICE C. SARAVANAN

W.P.(MD) No.31026 of 2024

S.Saraswathy

... Petitioner

Vs.

- 1.The Reserve Bank of India,
Rep. by its Governor,
Head Office at
16th Floor, Central Officer Building,
Shahid Bhaget Singh Road,
Mumbai 400 001.
- 2.The Additional Director General of Police,
Cyber Crime Wing,
No.3, Dr.Natesan Road,
Police Training College Campus,
3rd Floor, Cyber Crime Wing,
Ashok Nagar, Chennai 600 083.
- 3.The Regional Director,
Reserve Bank of India,
Fort Glacis, No.16,
Rajajai Salai,
Chennai 600 001.
- 4.The Superintendent of Police,
Ramanathapuram,
Ramanathapuram District.



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5.The Assistant Commissioner of Police,
Cyber Crime Police Station,
Jayabheri Pine Valley,
Gachibowli, Hyderabad,
Telangana – 500032.

6.The Inspector of Police,
Cyber Crime Police Station,
Jayabheri Pine Valley,
Gachibowli, Hyderabad,
Telangana – 500032.

7.The Branch Manager,
Tamilnadu Mercantile Bank Ltd.,
Door No.25,
Sigil Raja Veedhi, 1st floor,
Ramanathapuram District,
Tamil Nadu – 623 501.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, directing the seventh respondent Bank to defreeze the petitioner's Saving Account No. 131100050302193 and allow the petitioner to operate the same as usual by considering the petitioner's representation dated 07.12.2024 within the time stipulated by this Court.

For Petitioner : Mr.K.Dinesh

For R1 : Mr.K.R.Laxman
Standing Counsel

For R2 & R4 : Mr.K.Sanjai Gandhi
Government Advocate (Crl. Side)



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For R7

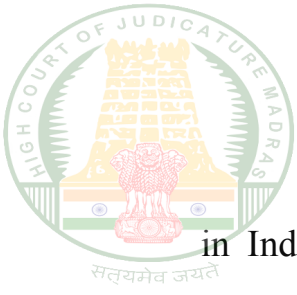
: Mr.N.Dilipkumar
Standing Counsel

ORDER

The petitioner has filed this Writ Petition for issuance of a Writ of Mandamus, directing the seventh respondent Bank to defreeze the petitioner's Saving Account No.131100050302193 and allow the petitioner to operate the same as usual by considering the petitioner's representation dated 07.12.2024 within the time stipulated by this Court.

2. The petitioner is the holder of Savings Account No. 131100050302193 with the seventh respondent Bank, which has been frozen pursuant to the instructions of the sixth respondent, namely, the Inspector of Police, Cyber Crime Police Station, Jayabheri Pine Valley, Gachibowli, Hyderabad, Telangana - 500 032.

3. The learned counsel for the petitioner submits that the said account maintained by the petitioner is used solely for crediting the amounts sent by her son. It is submitted that the petitioner's son is working abroad and transfers money to the petitioner for her maintenance



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in India. It is submitted that the petitioner is a rustic woman with no independent means of livelihood and is entirely dependent on the amount sent by her son.

4. It appears that the petitioner's son, Dheenadhayalan, had carried out certain transactions which attracted action by the seventh respondent at the behest of one Mr.Rajive Chauhan on 04.11.2024, under the category of Internet Banking Related Fraud. The matter involving trading investments and promises of high returns is now being investigated by the fourth respondent police, namely, the Superintendent of Police, Ramanathapuram, Ramanathapuram District. Based on the complaint received by the seventh respondent from the sixth respondent, the petitioner's account has been frozen without prior notice to the petitioner, as a result of which she is unable to receive funds from her son for her maintenance.

5. The learned Standing Counsel for the seventh respondent Bank submits that a sum of Rs.1,58,951/- is lying in the account of the petitioner.



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6. Having considered the submissions made by the learned counsel for the petitioner, the learned Standing Counsel for the first respondent, the learned Government Advocate (Criminal Side) appearing for the second and fourth respondents, and the learned Standing Counsel for the seventh respondent, and upon perusal of the decisions of this Court rendered in *Mohammed Saifullah v. Reserve Bank of India, represented by its Governor and others*, in W.P.No.25631 of 2024, dated 10.09.2024, and in *M/s.Kooz Advisors and Technologies Pvt. Ltd. v. Indian Overseas Bank, represented by its Branch Manager*, in W.P.(MD) No.15684 of 2024, dated 15.07.2024, this Court is inclined to direct the seventh respondent Bank to defreeze the aforesaid account of the petitioner forthwith.

7. However, in case any suspicious transactions are noticed in the said account, either by the petitioner for herself or by her son, the respondents are at liberty to freeze the same at a future date, after giving due notice to the petitioner.



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8. With the above observations, this Writ Petition stands allowed.

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Index : Yes / No

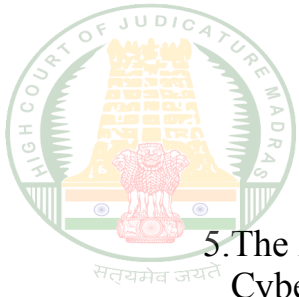
Internet : Yes / No

Neutral Citation : Yes/No

Speaking Order / Non-Speaking Order

To

- 1.The Governor,
Reserve Bank of India,
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16th Floor, Central Officer Building,
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Mumbai 400 001.
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C.SARAVANAN, J.

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