



WEB COPY

WP No. 8969 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-03-2026

CORAM

THE HON'BLE MR JUSTICE M.DHANDAPANI

WP No. 8969 of 2026

N.Balachander
S/o.S.Natarajan,
residing at No.2/1, Venkatapathy Street,
Old Washermen Pet,
Chennai-21.

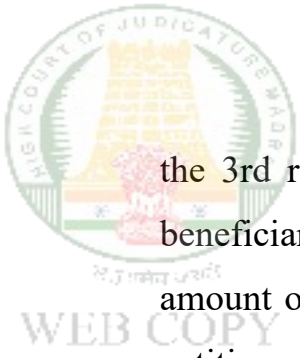
..Petitioner(s)

Vs

1. The Deputy Governor
Reserve Bank of India,
Central Office Building,
19th Floor,
Shahid Bhagat Singh Road,
Mumbai-400 001
2. Banking ombudsman
Reserve Bank of India,
Office of the Banking,
Chennai.
3. The Manager
Karur Vysya bank
Royapuram Branch,
Chennai-600 013

..Respondent(s)

Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the impugned appellate order passed by the Appellate Authority of the Reserve Bank of India dated 07.03.2022 confirming the order of the Banking ombudsman dated 06.02..2020 and quash the same as illegal arbitrary, non-speaking and violative of principles of natural justice and to consequently direct



the 3rd respondent Bank to take immediate and effective steps to freeze the beneficiary / fraudster accounts, recover and revert the fraudulently transferred amount of Rs.7,49,000/- (Rupees Seven Lakh forty nine thousand only) to the petitioners savings and current accounts, as confirmed in FIR No.360 / 2019 registered by the central crime branch Chennai, and to direct the respondents to consider and grant appropriate compensation to the petitioner for the financial loss, mental agony, and hardship suffered by his due to the inaction and failure of the respondents.

For Petitioner(s): Dr.C.Sivagana Selvi

For Respondent(s): NDW

ORDER

The impugned Appellate Order passed by the Appellate Authority of the Reserve Bank of India dated 07.03.2022 confirming the order of the Banking ombudsman dated 06.02.2020, is put under challenge in the present Writ Petition as the same as illegal, arbitrary, non-speaking and violative of principles of natural justice. Consequently, the petitioner has sought for a direction to the third respondent Bank to take immediate and effective steps to freeze the beneficiary / fraudster accounts, recover and revert the fraudulently transferred amount of Rs.7,49,000/- (Rupees Seven Lakh forty nine thousand only) to the petitioner's savings and current accounts, as confirmed in FIR No.360 / 2019 registered by the Central Crime Branch, Chennai and to direct the respondents to consider and grant appropriate compensation to the petitioner



for the financial loss, mental agony and hardship suffered by his due to the inaction and failure of the respondents.

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2. Heard the learned counsel for the petitioner. Since no adverse order is to be passed in the present Writ Petition, the notice to the respondents is dispensed with.

3. The learned counsel for the petitioner submitted that the petitioner maintained his savings as well as current accounts with the third respondent bank and in the said accounts, fraudulent transactions through digital means were taken place between 02.03.2019 and 30.03.2019, incurring a loss to the tune of Rs.7,49,000/-, for which a complaint was registered by the Central Crime Branch in FIR No.360 of 2019, however only Rs.18,000/- was recovered. He further contended that the petitioner made a complaint before the third respondent, since no order was passed, he approached the second respondent with a complaint seeking remedy, however the same was rejected and thereafter he approached the first respondent by preferring a statutory appeal which was also rejected and granted liberty to approach the appropriate Consumer Forum or Court and hence, the present Petition and the learned counsel prayed for appropriate orders.



4. On perusal of the case reveals that the issue is governed by the Consumer Forum but the petitioner instead of approaching the Consumer Forum has filed the present petition. In view of the same, this Court is of the considered opinion that the petitioner shall approach the appropriate Consumer Forum for his remedy. Accordingly, the Writ Petition is disposed of by granting liberty to the petitioner to approach the District Consumer Forum and to ventilate all his grievances and the Consumer Forum shall consider the case of the petitioner after affording due opportunity of hearing of the petitioner as well as the respondents and to pass appropriate orders within a reasonable time.

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

06-03-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

DP



To

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M.DHANDAPANI, J.

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