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W.P.No.5146 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.03.2026

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.5146 of 2024

R.Booma

... Petitioner

Vs.

- 1 THE HEAD OF THE COMPLAINTS DEPARTMENT,
ICICI BANK LIMITED,
COMPLAINTS DEPARTMENT,
7TH FLOOR, ICICI BANK TOWERS,
FINANCIAL DISTRICT,
GACHIBOWLI,
HYDERABAD – 500 032.
- 2 THE PRINCIPAL NODAL OFFICER,
ICICI BANK TOWER,
BANDRA – KURLA COMPLEX,
MUMBAI – 400 051.
- 3 THE GENERAL MANAGER,
INDIAN OVERSEAS BANK,
FRAUD RISK MANAGEMENT CELL,
5TH FLOOR, ANNEX BUILDING,
CENTRAL OFFICE,
CHENNAI.
- 4 MANAGER
INDIAN OVERSEAS BANK,
WEST MAMBALAM BRANCH,
CHENNAI.



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5 MANAGER – SERVICE QUALITY,
ICICI BANK LIMITED,
ICICI BANK TOWER,
NEAR CHAKLI CIRCLE,
OLD PADRA ROAD,
VADODARA – 390 007.

6 MANAGER – SERVICE QUALITY,
ICICI BANK LIMITED,
ICICI BANK TOWER,
NEAR CHAKLI CIRCLE,
OLD PADRA ROAD,
VADODARA – 390 007.

7 THE DEPUTY COMMISSIONER
CYBER CRIME,
T.NAGAR,
CHENNAI.

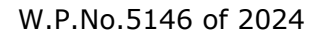
... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to repay the amount of Rs.9,83,405/- as per the circular of the Reserve Bank of India dated 06.07.2017 in RBI/2017-18/15 DBR. NO. Leg. BC. 78/09.07. 005/2017-18 lost in the fraudulent transaction along with interest at 18% and also direct the respondents to pay suitable compensation to the petitioner.

For Petitioner : Mr.K.S.Jeyaganeshan

For Respondents : Mr.K.Arumugam for R1, R2, R5, R6
Mr.V.Meganathan for R7
Government Advocate
R2 & R4 – No Appearance



The petitioner has filed this writ petition seeking issuance of Writ of Mandamus directing the respondents to repay the amount of Rs.9,83,405/- as per the circular of the Reserve Bank of India dated 06.07.2017 in RBI/2017-18/15 DBR. NO. Leg. BC. 78/ 09.07.005/2017-18 lost in the fraudulent transaction along with interest at 18% and also direct the respondents to pay suitable compensation to the petitioner.

2.The learned counsel appearing for the petitioner submitted that the petitioner is having Joint Savings Bank Account with her husband in the fourth respondent bank and on 24.06.2022 she received a WhatsApp message which had TNEB Emblem stating that the electricity service of the petitioner's house will be disconnected by 10.30 p.m. because of an outstanding of previous bill and the petitioner received phone call from one Santhosh Kumar Sharma stating that he is an Electricity Board Officer and that the petitioner has to pay a sum of Rs.11/-, the outstanding amount of previous bill. The petitioner tried to effect payment through Citi Bank Credit Card and thereafter through fourth respondent Bank Credit Card, but could



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not effect payment. Thereafter, the petitioner operated as per the instructions given over phone by the said Santhosh Kumar Sharma. Thereafter, the petitioner received messages about withdrawal from the petitioner's Savings Bank Account with the fourth respondent Bank. Thereafter, the petitioner requested the fourth respondent to block the debits and initiated complaint to the Assistant Commissioner, Cyber Cell along with a complaint to the National Cyber Cell within five hours from the time of the receipt of unauthorized debits. The petitioner also visited the fourth respondent Bank and filed a complaint with the Manager of the fourth respondent along with a copy of the FIR, however, the petitioner has not yet received the amount that has been fraudulently withdrawn by the third party.

3.The learned counsel appearing for the petitioner further submitted that the Reserve Bank of India vide Circular dated 06.07.2017 in RBI/2017-18/15 DBR.NO.Leg.BC.78/09.07. 005/2017-18 has brought out Customer Protection – Limiting Liability of Customers in unauthorized electronic banking transactions wherein it specifically deals with zero liability of a customer if the customer notifies the Bank within three working days of receiving the



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communication from the Bank regarding the unauthorized transaction.

Hence, the petitioner issued legal notice to the respondents for refund of Rs.9,83,405/-, however, no order has been passed.

4.The learned counsel appearing for the petitioner further submitted that this Court may without going into the merits of the case, permit the petitioner to make representation to the fourth respondent in terms of the Circular of the Reserve Bank of India dated 06.07.2017 and issue direction to the fourth respondent to consider the same and to pass appropriate orders within a reasonable time frame.

5.Though the name of the fourth respondent is printed in the case list, there is no representation for the fourth respondent. Considering the limited relief now sought for by the learned counsel appearing for the petitioner, this Court, without expressing any opinion on the merits of the case, permits the petitioner to make representation to the fourth respondent in terms of the Circular of the Reserve Bank of India dated 06.07.2017, within a period of one week from the date of receipt of a copy of this order. If the petitioner makes any such representation, the fourth respondent shall consider



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the same, on merits and in accordance with law and pass appropriate orders, within a period of four weeks thereafter.

6.The writ petition is disposed of. No costs.

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Index: Yes/ No

Speaking Order: Yes/ No

NCC: Yes/ No

To

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CENTRAL OFFICE,
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