



WEB COPY

WP No. 47122 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-02-2026

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THE HON'BLE MS. JUSTICE P.T. ASHA

**WP No. 47122 of 2025
and
WMP NO. 52670 OF 2025**

Syed Nizam
S/o Syed Ibrahim Residing At No 57,
Vijayalakshmi Nagar 5th Street, Puthagaram
Kolathur Chennai 600 099

..Petitioner(s)

Vs

1. The Head Legal Department
Axis Bank Ltd., Axis Bank Tower, Worli,
Mumbai 400 025
2. The Manager
Axis Bank, Gopalapuram Branch 351 Avvgai
Shanmugham Salai, Gopalapuram Chennai
Tamil Nadu 600 086

..Respondent(s)

PRAYER : Writ Petition filed under Article 226 of Constitution of India praying to issue a Writ of Mandamus, directing the respondent to defreeze the petitioner's bank account No. 916010027747932 maintained with Axis Bank Ltd., Gopalapuram Branch, and to permit the petitioner to operate the same for all lawful purposes and pass orders.



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For Petitioner(s):

Mr.Y.Mohamed Ghouse

For Respondent(s):

Mr.R.Sreedhar
Standing Counsel for R1 & R2**ORDER**

This writ petition is filed seeking issuance of Writ of Mandamus to direct the respondents to defreeze the bank account No.916010027747932 maintained by the petitioner with Axis Bank Ltd., Gopalapuram Branch and to permit the petitioner to operate the same.

2. The petitioner is having an account bearing No. 916010027747932 with the Axis Bank Ltd., Gopalapuram Branch, Chennai, the second respondent herein. On 02.07.2025, his bank account has been frozen. When enquired, the petitioner was informed by the Bank officials orally that his bank account has been frozen on account of a complaint received from one Babita Sarma of Shillong, Meghalaya relating to Internet Banking Related Fraud.

3. The grievance of the petitioner is that he had not involved in any such fraudulent activity, however, he had agreed that there was a small transaction, which arose from a legitimate online gaming platform. The petitioner would contend that without any prior notice or intimation or calling for an explanation



from the petitioner, he was deprived of in accessing his bank account.

Therefore, the petitioner had sent a legal notice dated 06.09.2025 to the respondents calling upon them to defreeze his bank account. No steps have been taken to the said legal notice till date. Hence, the petitioner has filed the writ petition seeking aforesaid relief.

4. The learned counsel appearing for the petitioner would submit that the petitioner had not involved in any criminal case. Even assuming that there is a disputed sum, the respondents should have restricted the freezing only to the alleged fraudulent amount and not the entire amount. Further, the petitioner's account was frozen, without issuing any prior notice or communication to him, is illegal and violation of principles of natural justice.

5. Per contra, the learned Standing Counsel appearing on behalf of the respondent-Bank would submit that the account of the petitioner was frozen on the basis of the instructions received from Cyber Cell of the respondent-Bank that there was some alleged suspicious transaction by the petitioner

6. A perusal of the records would show that the entire account of the petitioner was frozen and the petitioner was unable to operate his account. This action of the respondent had crippled the petitioner's right to livelihood. It is



seen that in similar cases, this Court had observed that when the alleged fraudulent amount is quantified, the freezing of whole amount cannot be done by the Bank. The learned Single Judge of this Court in W.P.(MD) No.15684 of 2024 dated 15.07.2024, has held as follows :

“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 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.”

7. Accordingly, the present writ petition is disposed of with the following directions:

- (1) The second respondent/Bank shall mark a lien only for a sum of Rs.30,000/- and permit the petitioner to operate his account forthwith;
- (2) The petitioner is at liberty to move the concerned jurisdictional Magistrate for recall of the lien marked over the said amount of Rs.30,000/-, if he is so advised.

No costs. Consequently, connected miscellaneous petition is closed.

02-02-2026

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

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