



WP(MD). 5408 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Date : 13/02/2026

CORAM

The Hon`ble Mr.Justice KRISHNAN RAMASAMY

WP(MD). No.5408 of 2024

Vaigai Durai
Chairman
M/s.Rural Development Mission
Anna Nager, NR Police Station,
Pattiveeranpatti
Dindigul

... Petitioner

Vs

1. The Banking Ombudsman,
Office of Banking Ombudsman,
Reserve Bank of India Building, II Floor,
No.16, Rajaji Salai,
Chennai-600 001.

2. M/s.Hdfc Bank,
Rep. by its Branch Manager,
No.422-A-Periyakulam Road,
Opp Covent,
Theni District-625 531,
Tamil Nadu.

... Respondents

PRAYER :- Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondent No.1 to conduct enquiry against respondent No.2 to defreeze



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the account with Savings Account No.07761800003336 in HDFC Bank,
Theni Branch of the Petitioner Trust.

For Petitioner : Ms.A.Jaswarthini for
Mr.K.Pragadeeshkumar
For Respondents : Mr.K.R.Laxman for R1
Mr.Chهران Mohan for R2
for M/s.King and Partridge

ORDER

This writ petition has been filed for a mandamus directing the respondent No.1 to conduct enquiry against respondent No.2 to defreeze the account with Savings Account No.07761800003336 in HDFC Bank, Theni Branch of the Petitioner Trust.

2. Heard the learned counsel for the petitioner and the learned counsel for the respondents.

3. The learned counsel for the petitioner would submit that the petitioner is the Chairman of a Trust by name Rural Development Mission. The Trust is holding savings bank Account in SB No. 07761800003336 in HDFC Bank, Theni Branch. However, their cheques were not honoured due to the freezing of their account and hence, the petitioner made a complaint to the respondent bank. The learned counsel



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would submit that the petitioner was informed that due to non payment of loans by the Self Help Group, the account of the petitioner was freezed as early as in the year 2018. The learned counsel would contend that the petitioner neither stood as a guarantor nor has given an undertaking for the bank, however, they stood as an mediator for getting loans for the self help groups and the loan is sanctioned by the bank and the amount has been paid directly to the bank. When that be so, freezing of the petitioner's account is no way benefit the bank in getting the repayment. However, the petitioner was informed by the bank that the matter is pending before the 1st respondent for adjudication. Since the petitioner's account has been freezed as early as in the year 2018, till date, the same has not been defreezed. When the contract is between the beneficiaries of the loan and the bank, the petitioner is no way connected with those transactions. She would further submit that complaint has also been made to the 1st respondent Ombudsman and the said complaint came to be rejected as not maintainable by the 1st respondent. It is also submitted that more than Rs.17 lakhs is available in the savings bank account. Therefore, the petitioner prays for appropriate direction.



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4. This matter is listed today at the request of the 2nd respondent for filing reply. However, even after a period of two years, no reply has been filed. It appears that the 2nd respondent is not interested in contesting the matter.

5. It is seen from the records that the writ petition is of the year 2024 and the bank account of the petitioner has been freezed as early as in the year 2018 and for the past eight years, there is no transactions in the said account. Considering the submission made by the petitioner as well as respondents, when the petitioner stood only as a mediator for obtaining loan by the self help group, I am unable to understand how the petitioner is responsible for the non payment of the loan by the Self Help Group to the bank. If there is any default on the part of the self help group, it is for the bank to initiate action against the said group, instead, freezing the account of the petitioner herein, who stood only as a mediator for obtaining loan, is illegal, when the petitioner is not the guarantor and there is no memorandum of understanding or any contract between the petitioner and the bank. Admittedly no documentary



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evidence has been filed nor the petitioner executed any agreement in case of any default by the self help group. Therefore, this Court is of the considered view that the freezing of the bank account of the petitioner herein for more than eight years is illegal. Accordingly, the 2nd respondent is directed to defreeze the account of the petitioner within a period of 48 hours from the date of receipt of a copy of this order and thereafter the petitioner is permitted to operate the same. The petitioner is directed to furnish the recent Board resolution for the purpose of operating the bank account forthwith.

6. The writ petition is disposed of with the above direction. No costs.

13.02.2026

NCC : Yes/No

Index : Yes/No

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KRISHNAN RAMASAMY, J

RR

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