



**IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)**

[3332]

THURSDAY, THE 16th DAY OF JULY 2026

PRESENT

THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI

WRIT PETITION NO: 25456/2025

Between:

1. MUNGARA RAJ KUMAR,, S/O. M.GOVARDHAN, AGED ABOUT 31 YEARS, OCC BUSINESS, R/O. 1-36, KOVVADALANKA, MANDAVALLI MANDAL KOVVADALANKA, KRISHNA-521333.

...PETITIONER

AND

1. UNION OF INDIA, MINISTRY OF FINANCE AND COMPANY AFFAIRS, (DEPARTMENT OF ECONOMIC AFFAIRS), BANKING DIVISION, REPRESENTED BY ITS SECRETARY, 3RD FLOOR, JEEVAN DEEP BUILDING, SANSAD MARG, NEW DELHI- 110001.
2. RESERVE BANK OF INDIA, HAVING OFFICE AT WRMP PLUS 8J2, NEW CENTRAL OFFICE BUILDING, SHAHID BHAGAT SINGH ROAD, FORT, MUMBAI, MAHARASHTRA 400001, REPRESENTED BY ITS CHAIRMAN, MUMBAI.
3. AXIS BANK LIMITED CIN L65110GJ1993PLC020769, A PUBLIC LIMITED COMPANY INCORPORATED UNDER THE COMPANIES ACT, 2013, HAVING OFFICE AT 7TH FLOOR, C-2 WADIA INTERNATIONAL CENTRE, PANDURANG BUDHKAR MARG, WORLI, MUMBAI - 400 025, REPRESENTED BY ITS CHAIRMAN, MUMBAI.
4. AXIS BANK LIMITED CIN L65110GJ1993PLC020769, A PUBLIC LIMITED COMPANY INCORPORATED UNDER THE

COMPANIES ACT, 2013, HAVING ITS BRANCH OFFICE AT 1ST FLOOR, CHAITANYA COMPLEX, DOOR NO.10, 141/1, OPPOSITE RURAL POLICE STATION, KOTHAPETA, KAIKALURU-521333, REPRESENTED BY ITS BRANCH MANAGER, KAIKALURU, KRISHNA DISTRICT.

...RESPONDENT(S):

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a writ order or direction more particularly, one in the nature of Writ of Mandamus declaring the action of the Respondent Axis Bank in not de-freezing the Petitioner's Current Account bearing No.921020017583659, Kaikaluru Branch, Krishna District and in and in restricting the Petitioner's funds of Rs.87,13,400/- (Rupees eighty-seven lakhs thirteen thousand and four hundred only) from being released or used by the Petitioner save as otherwise provided under the law as being illegal, arbitrary, unjust, wholly without jurisdiction and violative of principles of natural justice and Articles 14, 19, 21 and 300A of the Constitution of India and consequently, direct the Respondent Axis Bank to forthwith de-freeze the Petitioner's Account and release the funds lying in the Petitioner's Account

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Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the Respondent Axis Bank to forthwith release the Rs.87,13,400/- (Rupees eighty-seven lakhs thirteen thousand and four hundred only) lying in the Petitioner Account No.921020017583659, Axis Bank, Kaikaluru Branch, Krishna District by forthwith de-freezing the same

Counsel for the Petitioner:

1. M R K CHAKRAVARTHY

Counsel for the Respondent(S):

1. S SATYANARAYANA MOORTHY
2. SAI GANGADHAR CHAMARTY

3.

The Court made the following:

ORDER:

Questioning the action of respondent Bank in not de-freezing the petitioner's current account bearing No.921020017583659, Kaikaluru Branch, Krishna District, and in restricting the petitioner's funds of Rs.87,13,400/- from being released or used by the petitioner, the present writ petition is filed.

2. Heard Sri M.R.K.Chakravarthy, learned counsel for the petitioner, Sri Sai Gangadhar Chamorthy, learned counsel for respondent Bank and Sri S.Satya Narayana Moorthy, learned Standing Counsel for RBI.

3. Learned counsel for the petitioner while reiterating the contents of the affidavit filed in support of the writ petition contended that until and then a crime is registered or some agency recommends the bank to freeze the account, the respondents cannot independently freeze any individuals account, which amounts to infringement of petitioners rights guaranteed under the Constitution of India. He further submitted that even in the counter nowhere it was mentioned by the respondents that the said account has been freezed at the instance of investigation agency or in connection with some crime. In the said circumstances, freezing the petitioner's account is unsustainable, illegal and arbitrary, as

such, prayed to allow the writ petition directing the bank to defreeze the petitioner's account.

4. On the other hand, Sri Sai Gangadhar Chamarthy, learned counsel for the respondent-Bank submitted that by virtue of circulars of Reserve Bank of India, if the bank finds any suspicion about the transactions took place with regard to any individual's bank account, they have the power to freeze that bank account and intimate the same to the RBI. The same was done so in the present case. He further submitted that an amount of one crore has been deposited on a particular date and on the next date 50% of the amount has been transferred to 86 accounts. Noticing the said transactions, petitioner's account was freezed and the same was referred to Reserve Bank of India. If at all the petitioner has any grievance, he has to approach the Reserve Bank of India. He further submitted that though it was happened in the year 2021, the petitioner filed writ petition in the year 2025 after lapse of four years, as such, the writ petition has to be dismissed on the ground of laches, accordingly, prayed to dismiss the writ petition.

5. Sri Satya Narayana Moorthy, learned Standing Counsel for Reserve Bank of India submitted that the Home Ministry has prepared Standard Operating Procedure for NCRP-CFCFRMS, Custody, Restoration of Money and Grievance Redressal (hereinafter referred to as SOP) on 02.01.2026 with regard to the freezing of bank accounts and

that was accepted by the Hon'ble Apex Court and directed all the High Courts to follow the same. By virtue of the said SOP, if any individual had any grievance against freezing of bank account, that individual has to raise grievance in the portal and the authority has to decide on the said grievance within a period of 15 days. In the event if the same is not decided, the account which was freezed would automatically be defreezed. The writ petition is devoid of merits and liable to be dismissed, accordingly, prayed to dismiss the writ petition.

6. In reply, learned counsel for the petitioner submitted that the petitioner has already taken steps in that regard and sent an email on 04.08.2025, accordingly, prayed to pass appropriate orders.

7. Perused the record and considered the submissions made by the learned counsel for the parties.

8. Admittedly, the petitioner's account has been freezed in the year 2021. The present writ petition has been filed in the year 2025. As per the SOP issued by the Ministry of Home Affairs, which was approved by the Apex Court, if any individual's account is freezed, the individual has to raise the grievance in the portal mentioned therein. In the present case, the petitioner has not taken any steps in that regard. However, sent some mails to the bank, which according to the SOP is not proper. In the said circumstances, by duly taking into consideration the SOP and

the directions of the Hon'ble Apex Court, this Court is inclined to dispose of the writ petition giving liberty to the petitioner to raise his entire grievance raised before this Court in the Portal referred in the SOP and any decision taken on the petitioners grievance, the petitioner is at liberty to question the same before the appropriate forum. No specific time is required to be prescribed as the SOP has specified time in adjudicating the grievance of the individuals.

9. Accordingly, the Writ Petition is ***disposed of***. There shall be no order as to costs.

As a sequel, pending miscellaneous applications, if any, shall stand closed.

JUSTICE RAVI CHEEMALAPATI

Date: 16th July, 2026

RKS