



W.P.(MD). No.24830 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 18.02.2026

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THE HONOURABLE MRS. JUSTICE S.SRIMATHY

W.P.(MD). No.24830 of 2025

Mareeswari

... Petitioner

Vs.

1.The Zonal Manager,
Indian Overseas Bank,
Tuticorin Zonal Office,
Tuticorin District – 628002.

2.The Branch Manager,
Indian Overseas Bank,
Kamuthi Branch (0240),
Ramanathapuram District – 623603.

3.The Superintendent of Police,
State Cyber Crime Cell,
CID Crime,
Gandhinagar,
Gujarat.

*(R3 is impleaded as per order of this
Court dated 07.11.2025 in W.M.P.(MD).
No.21834 of 2025 in W.P.(MD).No.24830 of 2025)*

... Respondents

PRAYER :- Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the



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respondents herein to defreeze the petitioner savings account (A/C No. 024001000074177) and enable her to access saving account and use the funds for her personal and family needs on the basis of the petitioner's representation dated 28.03.2025 within the time stipulated by this Hon'ble Court and to pass such further or other orders as this Hon'ble Court may deem fit and proper in the circumstances of the case and thus render justice.

For Petitioner : Mr.C.Abul Kalam Azad

For R1 & R2 : Mr.N.Dilip Kumar

ORDER

The present Writ Petition has been filed for the issuance of a Writ of Mandamus, to direct the respondents to defreeze the petitioner's bank account bearing Account No.024001000074177 in the second respondent branch, on the basis of the representation dated 28.03.2025.

2. The facts leading to the filing of the petition are as follows:

(a) The petitioner is holding a savings account bearing A/c No. 024001000074177 at Indian Overseas Bank, Kamuthi Branch (0240), Ramanathapuram District – 623603.

(b) The petitioner came to know that his account had been frozen.



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3. The learned counsel appearing for the petitioner would submit that the petitioner is not involved in any criminal case and that the action of the second respondent in freezing the entire bank account is illegal and violative of the petitioner's fundamental rights. It is further submitted that, though the second respondent was obliged to act upon the communication issued by the first respondent, it ought to have informed the petitioner about such action. Having failed to do so, the second respondent has breached its contractual obligations with the petitioner.

4. The learned counsel appearing for the first respondent would submit that the petitioner's account was frozen on the basis of a suspicious transaction that occurred on 29.03.2024.

5. On a perusal of the records, it is clear that there is nothing to indicate that the first respondent had requested the second respondent to freeze the entire account. However, the fact remains that the account has been frozen, and the petitioner is unable to operate the same.



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6. It is seen that in similar circumstances, this Court had observed that when the alleged fraudulent amount is quantified, the freezing of the whole account would not be justified. Similar view was taken by the learned Single Judge of this Court in W.P.(MD).No.15684 of 2024 dated 15.07.2024, wherein, it was held that:

“3. 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. Consequently, connected miscellaneous petitions are closed.”

7. Accordingly, this writ petition is disposed of on the following directions:

(a) the second respondent/Bank is directed to retain only such amount equivalent to the suspicious transaction under lien and permit the petitioner to operate the account forthwith.

(b) the petitioner is at liberty to move to the concerned Jurisdictional Magistrate for recall of the lien marked over the quantified amount, if she is so advised.



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WEB COPY 8. With the above observations and directions, this Writ Petition is disposed of. There shall be no order as to costs.

18.02.2026
(SSYJ)

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To

- 1.The Zonal Manager,
Indian Overseas Bank,
Tuticorin Zonal Office,
Tuticorin District – 628002.
- 2.The Branch Manager,
Indian Overseas Bank,
Kamuthi Branch (0240),
Ramanathapuram District – 623603.



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S.SRIMATHY,J.

pal

ORDER
IN
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