

Dharmarathnam. M. S vs Manager

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Court : Kerala

Decided On : Sep-30-2023

Judge : Honourable Mr. Justice Devan Ramachandran

Appeal No. : WP(C)/20869/2022

Appellant : Dharmarathnam. M. S

Respondent : Manager

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE DEVAN RAMACHANDRAN SATURDAY, THE 30TH DAY OF SEPTEMBER 2023 / 8TH ASWINA, 1945 PETITIONER: DHARMARATHNAM. M. S MELAMPAT HOUSE, KUMARANELLUR, WADAKKANCHERY, THRISSUR,, PIN - 686001 V.C.MADHAVANKUTTY SREELAL B. RESPONDENT: 1 BRANCH MANAGER HDFC BANK LTD. BUILDING NO.20/457/2 & 3, GLOBAL CENTRE,M.G. ROAD, THRISSUR 2 MANAGER HDFC BANK LTD. CENTRAL PROCESSING UNIT, NO.96, PRINCE KUSHAL TOWER, 2ND FLOOR, ANNA SALAI, CHENNAI, PIN - 600002 R.S.KALKURA M.S.KALESH(K-275) HARISH GOPINATH(K/232/1999) P.I.NAJUMAL HUSSAIN(K/153/2015) THIS

WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 30.09.2023, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

JUDGMENT

The facts involved in this case are covered by the

judgment of this Court in W.P.(C).No.12960/2023 and

connected matters. Since the learned counsel for the parties are ad idem on this, I allow this writ petition in terms of the said judgment. Consequently, I order this Writ Petition with the following directions:

(a) The respondent Bank arrayed in this case, is directed

to confine the order of freeze against the accounts of the petitioner, only to the extent of the amounts mentioned in the order/requisition issued to them by the Police Authorities. This shall be done forthwith, so as to enable the petitioner to deal with their accounts, and transact therein, beyond that limit.

(b) The respondent - Police Authorities concerned are

hereby directed to inform the Bank as to whether freezing of accounts of the petitioner in this Writ Petition will require to be continued even in the afore manner; and if so, for what further time, within a period of eight months from the date of receipt of a copy of this judgment.

(c) On the Bank receiving the afore

information/intimation from the Police Authorities, they will adhere to the same and complete necessary action - either continuing the freeze for such period as mentioned therein; or withdrawing it, as the case may be.

(d) If, however, no information or intimation is received

by the Bank in terms of directions (b) above, the petitioner or such among them, will be at full liberty to approach this Court again; for which purpose, all their contentions in this Writ Petition are left open and reserved to them, to impel in future. Sd/- DEVAN RAMACHANDRAN, JUDGE Isn APPENDIX OF WP(C) 20869/2022 PETITIONER EXHIBITS Exhibit P1 TRUE COPY OF THE NOTICE ISSUED BY THE 1ST RESPONDENT IN FAVOUR OF THE PETITIONER DATED 13.11.2018 Exhibit P2 TRUE COPY OF THE LETTER DATED

28.10.2021 RECEIVED BY THE PETITIONER FROM THE 2ND RESPONDENT, CENTRAL PROCESSING UNIT OF THE RESPONDENT BANK, INTIMATING THAT THE PETITIONER CAN ACTIVATE THE ACCOUNT BY VISITING THE NEAREST HDFC BANK BRANCH Exhibit P3 TRUE COPY OF THE LAWYER NOTICE DATED 16.05.2022 SEND BY THE PETITIONER TO THE 1ST RESPONDENT Exhibit P4 TRUE COPY OF THE NOTICE RECEIVED BY THE PETITIONER FROM THE 2ND RESPONDENT DATED 07.06.2022 RESPONDENTS EXHIBITS: NIL TRUE COPY P.A TO JUDGE LSN

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