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FROZEN FOR TEN RUPEES

When a Cyber-Fraud Money Trail Paralyzes an Honest Business

Law, Judicial Response and Remedies on Debit-Freezing, Lien-Marking and PAN-
Wide Blocking of Bank Accounts in India

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Abstract

A kirana store, a fuel station, a garment trader or a chartered accountant accepts a UPI payment of ten rupees from a stranger. Weeks later that customer turns out to be a link in a cyber-fraud chain. A complaint on the 1930 helpline or the National Cybercrime Reporting Portal (NCRP) is traced through the Citizen Financial Cyber Fraud Reporting and Management System (CFCFRMS); the receiving account is flagged as a "layer" account; and the bank, on an e-mail from a cyber cell in some distant State, debit-freezes the entire account holding a crore of rupees of working capital. In many cases the restriction then travels through the customer's PAN to every other account of the same person, and the person cannot even open a fresh account elsewhere.

This paper examines the economic damage that such freezes are causing to legitimate business; the statutory framework under Sections 106 and 107 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS), the MHA/I4C Standard Operating Procedure dated 2 January 2026, the Supreme Court's continuing suo motu directions, and the RBI's draft money-mule SOP of September 2026; the judicial response of the Punjab & Haryana High Court and other High Courts, which has crystallised into a clear rule of proportionality — **a lien on the disputed amount, not a blanket freeze of the account**; and a step-by-step remedial roadmap for advocates, merchants, banks, trade bodies and policy-makers.



1. Introduction: The Ten-Rupee Problem

India's digital-payments revolution has made every shopkeeper a payment acceptor. The same revolution has made every shopkeeper a potential recipient of tainted money. Fraudsters convert stolen funds into goods, recharges, fuel, jewellery and services precisely because a merchant cannot verify the source of a customer's money. When the investigating agency then "follows the money", the honest merchant is the last — and often the only identifiable and solvent — node in the trail. The scale of the problem is no longer anecdotal. A single ₹4.43 crore fraud registered at Faridabad was reported to have triggered the freezing of more than 36,000 bank accounts across the country, many of which had received only a few hundred rupees from the fraud chain. Courts across the country now describe themselves as flooded with writ petitions seeking de-freezing. The Allahabad High Court has said so expressly, and the Madhya Pradesh High Court has described indiscriminate freezing as a problem quietly wrecking small businesses.

The question addressed in this paper is simple: **what does the law actually permit, and what can an advocate do the day a client's business account stops working?**

2. How a Business Account Gets Frozen

2.1 The CFCFRMS money trail

The victim reports the fraud on 1930 or cybercrime.gov.in. The complaint is routed to the State cyber cell, and the CFCFRMS — an integrated platform under the Indian Cyber Crime Coordination Centre (I4C) connecting police, banks and payment intermediaries — sends automated hold requests to every bank through which the money moved. Money is tracked in "layers": Layer 1 (first recipient, usually a mule), Layer 2, Layer 3 and onwards. A merchant who sold goods to a Layer-3 account holder becomes a Layer-4 account.



2.2 What the bank actually does

On receipt of the e-mail or portal request, the bank's practice has commonly been to impose one of three restrictions, often without telling the customer which:

Restriction	What it means	Effect on business
Lien / hold on disputed amount	Only the traced sum (say ₹10) is earmarked and cannot be withdrawn	Minimal — business continues
Debit freeze (total)	Credits are allowed, but no withdrawal, cheque, UPI, NEFT or auto-debit	Paralysis — salaries, GST, EMIs, suppliers all stop
Full freeze / suspension of digital banking	No debit or credit; net-banking, UPI and cards blocked	Complete shutdown; incoming payments bounce back to customers

2.3 The cascade to all accounts and the PAN problem

The most serious harm, and the one least discussed in the case law, is the **cascade**. Once one account is flagged, the restriction frequently spreads to the person's accounts in other banks — the Allahabad High Court noticed a case where a freeze extended to accounts in Bandhan Bank, ICICI Bank and Axis Bank and obstructed the petitioner's business. Because KYC across banks is anchored to the PAN, the account holder may find that his other accounts, unconnected to any tainted credit, are also restricted, and that a new bank declines to open an account because his PAN is "flagged".

It must be stated plainly: **there is no provision in the BNSS, the Banking Regulation Act, the PMLA (outside its own procedure) or any RBI direction that authorises freezing every account linked to a PAN because one account received a disputed credit**. Section 106 BNSS operates on specific "property" that has a nexus with the offence. A PAN is not property; an untouched account in another bank has no nexus with the trail. A PAN-wide block therefore operates as an



informal "financial blacklisting" without statute, without notice and without hearing

3. Effect on Business and the Economy

Area of impact	How the freeze damages the business
Working capital	Entire balance locked for a disputed sum that may be 0.001% of it; suppliers unpaid, purchases stop
Statutory compliance	GST, TDS, EPF/ESI and advance-tax payments missed; interest and penalties follow
Salaries and wages	Staff unpaid; labour-law exposure; workforce lost
Loan accounts	EMIs and CC/OD interest auto-debits fail; risk of SMA/NPA classification and CIBIL damage
Cheque liabilities	Issued cheques dishonoured; exposure to complaints under Section 138 NI Act
Reputation	Customers' UPI payments fail at the counter; the merchant is treated as a suspect
Digital-payment chill	Merchants refuse UPI from strangers, insist on cash — defeating the policy of a less-cash economy
Access to banking	PAN-level flags prevent opening of new accounts — effectively "debanking" a lawful trader
Litigation cost	Multiple States' cyber cells involved; the trader must chase officers and courts far from home

The paradox is evident. A freeze intended to protect the victim of a ₹10 transaction inflicts losses running into lakhs upon a person who is not an accused, not a suspect and often not even aware of the fraud. The CFCFRMS has undoubtedly saved large sums for victims — over ₹11,158 crore across 32.80 lakh complaints by 30 June 2026 according to reported figures — but speed in preservation cannot become a substitute for due process.



4. The Legal Framework

4.1 Section 106 BNSS (formerly Section 102 CrPC) — seizure

Section 106(1) BNSS empowers a police officer to seize any property alleged or suspected to have been stolen, or found under circumstances creating suspicion of the commission of an offence. In *State of Maharashtra v. Tapas D. Neogy*, (1999) 7 SCC 685, the Supreme Court held that a bank account is "property" for this purpose — but only where there is a **direct nexus** between the account and the alleged offence. Section 106(3) requires the seizure to be reported **forthwith** to the jurisdictional Magistrate. In *Teesta Atul Setalvad v. State of Gujarat* (2018) the Supreme Court stressed that continued restraint must remain under the Magistrate's supervision, not the unchecked discretion of investigators. The Supreme Court in *Shento Varghese v. Julfikar Husen* (2024) held that delayed reporting is an irregularity and does not by itself vitiate the seizure — but it leaves the officer accountable and the Magistrate's supervisory jurisdiction intact.

4.2 Section 107 BNSS — attachment needs a Magistrate

Section 107 BNSS is a new provision. It provides a court-driven procedure for **attachment, forfeiture and restoration** of property believed to be proceeds of crime, on application of the police with the approval of the Superintendent or Commissioner of Police, ordinarily after hearing the person concerned. A growing body of High Court authority holds that a **debit freeze is in substance an attachment, not a seizure**, and therefore cannot be imposed by the police under Section 106 at all:

- *Neelkanth Pharma Logistics (P) Ltd. v. Union of India*, 2025 SCC OnLine Del 1055 (Delhi HC) — an investigating agency has no power to debit-freeze or

attach a bank account under Section 106 BNSS; attachment lies only under Section 107 by a Magistrate.

- *Kartik Yogeshwar Chatur v. Union of India*, 2025 SCC OnLine Bom 4778 (Bombay HC, Nagpur Bench) — to the same effect.
- *Headstar Global Pvt. Ltd. v. State of Kerala*, 2025 SCC OnLine Ker 3546 (Kerala HC) — freezing must be proportionate and based on material showing the account holder's involvement.

These three decisions have been expressly followed by the Punjab & Haryana High Court in a series of 2025–26 writ petitions |

4.3 The MHA / I4C SOP dated 2 January 2026

On 2 January 2026 the Ministry of Home Affairs issued a fresh Standard Operating Procedure for cyber-financial fraud enforcement under the NCRP–CFCFRMS framework. Its salient features, as reported and as read by High Courts, are:

- **Lien on the disputed amount is the rule;** freezing the whole account is the exception.
- For disputed sums **below ₹50,000**, restoration to the victim without a court order and lifting of the hold within **90 days** where no court order exists.
- A **three-tier grievance-redressal mechanism**, with District and State grievance officers and time-bound responses (15 days at the first level, as reported).
- Directions for seizure or suspension of digital banking to be given under Section 106 BNSS, with the affected person entitled to approach the bank and then the jurisdictional court.



The SOP is executive guidance, not statute. It cannot enlarge police power beyond Sections 106/107 BNSS, but it binds banks and police as a minimum standard and is now judicially recognised.

4.4 The Supreme Court's suo motu "Digital Arrest" proceedings

In *In Re: Victims of Digital Arrest Related to Forged Documents* (Suo Motu W.P. (Crl.)), taken up in October 2025, a Bench led by the Chief Justice of India has issued continuing directions. It permitted freezing of amounts prima facie traceable to reported cyber-crime, directed nationwide adoption of the NCRP–CFCFRMS SOP in February 2026, and by order dated **4 August 2026**:

- directed the RBI to adopt and circulate, within four weeks, an SOP for temporary debit holds on amounts or accounts linked to money-mule activity;
- directed every State and Union Territory to operationalise grievance-redressal and money-restoration modules;
- directed the Registrar General of every High Court to bring the grievance mechanism to the notice of courts dealing with freezing cases, **without prejudice to statutory or constitutional remedies**; and
- directed expeditious disposal of account-freezing cases arising out of cyber-enabled fraud.

A separate writ petition seeking uniform freezing/de-freezing guidelines was directed in January 2026 to be placed before the CJI because of the overlap. The field is therefore **actively under the Supreme Court's supervision**, and practitioners should watch for further orders.

4.5 RBI draft KYC (Amendment) Directions, 2026 — money-mule SOP

In compliance, the RBI on 11 September 2026 issued draft amendments to its KYC Directions, inserting an SOP on suspected money-mule accounts. .

- a **temporary debit hold** on the suspected transaction; an account-level hold only as a **last resort in exceptional circumstances**;
- notice to the customer, with **20 days** to explain and **10 days** for the bank to decide;
- an outer limit of **60 days**, unless a law-enforcement agency or competent authority directs otherwise; and
- a formal grievance mechanism and a centralised MIS of every hold.

The weakness of the draft is evident: the 60-day ceiling does not apply where the hold is continued at the instance of the police — which is precisely the situation of most merchants. Bar bodies and trade associations should press for this gap to be closed in the final directions.

4.6 Constitutional anchors

- **Article 19(1)(g)** — freedom to carry on trade and business; a blanket freeze is an unreasonable restriction when a lien would suffice.
- **Article 21** — the right to livelihood; High Courts have repeatedly described the bank account as an indispensable tool of livelihood.
- **Article 300A** — no deprivation of property save by authority of law; an e-mail without statutory backing is not "law".
- **Article 14** — arbitrariness and the doctrine of proportionality: the least restrictive measure must be chosen.



5. The Judicial Response

5.1 Punjab & Haryana High Court

The Punjab & Haryana High Court has, through a consistent line of orders, granted relief under Article 226 directly against the bank, generally within one week:

Case	Facts and holding
<i>Adit Pal Nayyar v. ICICI Bank</i> , CWP-32371-2024, decided 23.03.2026 (Jagmohan Bansal, J.)	Account frozen at behest of Cyber Crime Cell, Chennai; ₹23,400 marked suspicious. Bank directed to de-freeze within a week, petitioner free to operate the account.
CWP-4535-2026, decided 18.03.2026	Lien of ₹6,71,000 on the basis of an automated NCRP alert; no suspicious entry and no criminal case. Bank directed to de-freeze within three days — no authority may freeze an account by debit-freeze or lien without such basis.
CWP-37784-2025 (v. State of Haryana & Axis Bank)	Account frozen without notice on LEA directions. Following <i>Headstar Global</i> , <i>Kartik Yogeshwar Chatur</i> and <i>Neelkanth Pharma</i> , de-freezing directed within one week.
CWP-11667-2026 (v. ICICI Bank)	Same principles; innocent and unwary account holders cannot be made to suffer. De-freezing within one week.
<i>Ajaypal Maan v. Union of India</i> , decided 20.05.2026	Account restored within one week while only the identified suspicious amount of ₹26,450 remained frozen.

5.2 Other High Courts

Court	Holding
Allahabad HC (Shekhar B. Saraf & Abdhesh Kumar Chaudhary, JJ.), 2026	Businessman's accounts in several banks frozen over ₹36,000. Lien cannot extend beyond the disputed amount; banks directed to follow the MHA SOP; account de-frozen with lien of ₹36,000. Police may seek a lien on a specific amount but cannot ask for suspension of the entire account.
Rajasthan HC (Anand Sharma, J.), 20.08.2026	Statewide directions: identifiable disputed amount to be preserved by lien, not blanket freeze;



Court	Holding
	phrases like "mule account" or "Layer-1" are not reasons by themselves; DGP to issue a circular within four weeks. Illustration: for a ₹500 fraud in a ₹5 lakh account, preserve ₹500.
Madhya Pradesh HC (Himanshu Joshi, J.), 2026	23 guidelines; whole-account freeze only in exceptional circumstances with reasons recorded in writing. In <i>Shyam Fashions</i> (Sept. 2026) ₹7,000 kept in FD and account released.
Gujarat HC, <i>Arjun Kuruveetil Peethambaran v. Police Inspector</i> , 2026:GUJHC:32081	Freeze of entire account over ₹1,100 disproportionate and violative of right to livelihood; lien of ₹1,100 only.
Andhra Pradesh HC (Ravi Cheemalapati, J.), 22.06.2026 — <i>Sri Sai Wines</i>	Merchant cannot verify credentials of a UPI customer; account frozen at instance of Bihar police directed to be de-frozen.
Gauhati HC (Manish Choudhury, J.), 18.09.2026, 2026 SCC OnLine Gau 6695	Not an accused; lien only on ₹1,700; account to operate for the balance.
Karnataka HC, 2026	Bank could not freeze the entire account when police directions covered only ₹25,000.
Delhi HC (v. Kotak Mahindra Bank), 2026	P2P/crypto trader: once tainted sum is identified, lien serves the purpose; whole-account freeze manifestly disproportionate.
Telangana HC	Freezing without quantifying the amount and without intimation to the court is unsustainable; only disputed amount to remain under debit interdiction.

5.3 The emerging rule

Where the disputed cyber-fraud amount is identifiable, the investigative purpose is fully served by a lien on that amount. A freeze of the whole account is an exceptional measure requiring material showing the account holder's complicity, reasons in writing and, if it amounts to attachment, an order of the Magistrate under Section 107 BNSS. The remaining balance must be released.

Equally, courts protect the investigation: relief is usually conditioned on the account holder co-operating with the investigation, and expressly leaves the agency free to proceed if involvement is later established. Advocates should offer such undertakings voluntarily — it materially improves the prospect of immediate relief.

6. The PAN-Wide Block and Refusal to Open New Accounts

The author's practice experience and widespread trader complaints show a pattern that the reported judgments have not yet squarely addressed: after one account is flagged, the person's other accounts are restricted and fresh accounts are refused because the PAN or other identifiers appear in shared risk or suspect databases. The legal objections are strong:

1. **No statutory source.** Section 106 BNSS acts on "property" with a nexus to the offence. A different account that never received the tainted money has no nexus. A PAN is an identifier, not property.
2. **No attachment order.** Even on the Delhi/Bombay/P&H view, blocking an untainted account is attachment without a Section 107 order.
3. **Violation of the MHA SOP and the RBI draft itself**, both of which confine holds to the disputed transaction and treat account-level holds as a last resort.
4. **Debanking is civil death for a trader.** Denial of banking to a person who is not even an accused offends Articles 14, 19(1)(g) and 21; refusal to open an account on an undisclosed flag violates natural justice.
5. **Proportionality.** If one account already carries a lien for the disputed ₹10, the investigation is fully protected; any further restriction serves no investigative purpose.

Practical approach: in the representation and the writ, list every account and bank separately, show which account actually received the disputed credit, and seek



release of all other accounts outright, a lien limited to the disputed sum in the receiving account, and a direction that the PAN/identifier shall not be used to refuse or restrict banking services, and that any entry in a negative or suspect list be removed or annotated as "lien satisfied / not an accused".

7. Remedial Roadmap for Advocates

The Supreme Court has directed that the grievance mechanism be brought to courts' notice so that affected persons may first avail it — but without prejudice to statutory and constitutional remedies. A sensible sequence, run in parallel where urgency requires, is:

Step 1 — Get the particulars in writing (Day 1)

Write to the branch and nodal officer demanding: the issuing agency, officer's name and contact, State, FIR/NCRP acknowledgement number, provision invoked, the transaction (UTR, date, amount), the disputed amount, and the exact nature of restriction (lien, debit freeze, full freeze). Ask also whether other accounts of the customer are restricted and on whose instruction.

Step 2 — Representation to the IO and the bank

Submit the business KYC (GST, Udyam, shop licence, PAN), the invoice or bill against the disputed credit, the merchant QR agreement, bank statement, and an affidavit that the payment was received in the ordinary course of trade. Request **conversion of the freeze into a lien on the disputed amount** and offer to keep that amount in a fixed deposit. Send by e-mail and speed post to keep proof.

Step 3 — CFCFRMS grievance module

Lodge a grievance through the bank and the CFCFRMS grievance module to the District Grievance Officer; escalate to the State officer if unanswered within the time



prescribed. Keep acknowledgements — they demonstrate exhaustion of the alternative mechanism if the High Court is approached.

Step 4 — Application before the Magistrate

Apply to the jurisdictional Magistrate under Sections 106(3), 107 and 503 BNSS (and Section 497 for interim custody of property) for release or for confining the restraint to the disputed amount. Where the Magistrate is in another State, this route is slow and costly — a factor courts have accepted as a reason to entertain the writ directly.

Step 5 — Writ petition under Article 226

A writ lies against the bank (a public-duty-bearing institution for this purpose) and the police, with the Union (MHA/I4C) and the RBI as proforma respondents. Part of the cause of action arises where the account is maintained, so the local High Court has jurisdiction even if the cyber cell is elsewhere. Typical reliefs are set out in the model prayer in Part 10.

Step 6 — Banking Ombudsman and consumer remedies

For bank-side deficiencies — no notice, refusal to disclose particulars, freezing beyond the amount in the police letter, charges levied for "insufficient balance", or adverse credit reporting — a complaint lies under the RBI Integrated Ombudsman Scheme and, for loss of service, before the Consumer Commission.

Step 7 — Protect the collateral damage

- Seek directions that missed EMIs/interest during the freeze shall not be treated as default for SMA/NPA or CIBIL purposes and that penal charges be reversed.



- In Section 138 NI Act complaints arising from cheques dishonoured during the freeze, plead that dishonour was due to a restraint by the State and not want of funds.
- Reserve the right to claim compensation for wrongful freezing in appropriate proceedings.

8. Preventive Measures for Merchants

- Accept UPI on a **registered merchant QR linked to a current account**, not a personal savings VPA.
- Keep a **separate collection account** for walk-in digital receipts, distinct from the account used for salaries, taxes and loan servicing, so a freeze does not stop operations.
- Issue a GST invoice or bill for every digital receipt and preserve it; record customer mobile/vehicle details for high-value walk-in sales.
- Be cautious with large person-to-person transfers from strangers, crypto/P2P buyers and "over-payments" followed by refund requests — a classic layering pattern.
- Check the bank app daily; act on the first SMS of a hold, since early representations get faster relief.

9. Role of Stakeholders

Stakeholder	What it should do
Advocates and Bar Associations	Use the settled P&H line of authority; file lean, early writs with undertakings; organise legal-aid clinics for small traders; make representations to RBI on the final SOP
Banks	Act only on requests that state the provision, FIR/NCRP number and disputed amount; mark lien only to that extent; give written notice within 48 hours; never extend restraint by PAN to other accounts; nominate a grievance



Stakeholder	What it should do
	officer
Police / I4C	Quantify the disputed amount; report seizures forthwith to the Magistrate; move under Section 107 BNSS where attachment is needed; issue release on proof of bona fide trade
RBI	Close the "LEA instruction" loophole in the 60-day limit; prohibit PAN-wide blocking; mandate customer notice and a reasoned decision
Trade and industry bodies	Document cases, collect data on losses, file representations and public-interest petitions; educate members on merchant QR practices
Courts	Continue prioritised listing; frame model orders; consider costs or compensation against blanket freezes made without reasons
Parliament / Government	Codify the lien-first rule, time limits and compensation in the BNSS or a dedicated statute

10. Suggestions for Reform

1. Insert a specific provision in the BNSS (for instance a new Section 106A) dealing with bank accounts: lien limited to the traced sum; whole-account restraint only on a Magistrate's order under Section 107 with reasons.
2. Statutory outer limits — automatic lapse of an un-renewed hold, with renewal only by a judicial order after notice.
3. Mandatory written notice to the account holder within 48 hours, disclosing the agency, reference number, provision and disputed amount.
4. A **merchant safe harbour**: a registered merchant who received payment against a genuine invoice shall not be restrained beyond the invoice value.
5. Express prohibition of PAN-wide or identifier-based blocking of untainted accounts and of refusal to open accounts on undisclosed flags.
6. A no-fault **compensation fund** (financed by banks and intermediaries) for persons wrongly frozen, alongside victim restitution.



7. An online inter-State de-freezing portal where the IO must respond within a fixed time, failing which the hold lapses.

11. Model Formats

A. Representation to the Bank and Investigating Officer (essentials)

To: (1) Branch Manager / Nodal Officer, [Bank, Branch]; (2) Investigating Officer, [Cyber Cell / Police Station, State]

Subject: Request to confine restraint to disputed amount and release of Account No. [____] — NCRP/FIR No. [____]

1. The undersigned runs [business] under GST No. [____]. The account is the operational business account.
2. On [date] a sum of ₹[____] (UTR [____]) was received from a customer against Invoice No. [____] for sale of [goods/services] in the ordinary course of business. Copies enclosed.
3. The undersigned is neither an accused nor a suspect and had no means of verifying the source of the customer's funds.
4. The entire account (and accounts in [other banks]) has been debit-frozen, though the disputed amount is only ₹[____], paralysing salaries, taxes and loan servicing.
5. Under Sections 106/107 BNSS, the MHA SOP dated 02.01.2026 and the consistent law laid down by the Punjab & Haryana High Court and other High Courts, a restraint must be confined to the disputed amount.
6. It is requested that a lien be marked only for ₹[____] (or that the amount be kept in an FD), the rest of the account and all other accounts be released forthwith,



and the particulars of the request be furnished. The undersigned undertakes to co-operate with the investigation.

B. Model Prayer in a Writ Petition under Article 226

It is, therefore, respectfully prayed that this Hon'ble Court may be pleased to issue a writ in the nature of mandamus or any other appropriate writ, order or direction:

1. directing respondent-Bank(s) to forthwith de-freeze Account No. [____] (and Accounts No. [____] in [other banks]) of the petitioner and permit its/their operation, subject only to a lien of ₹[____], being the disputed amount, if so required;
2. declaring that the debit-freeze of the entire account(s), without an order of a competent Magistrate under Section 107 BNSS and without quantification of the disputed amount, is illegal and violative of Articles 14, 19(1)(g), 21 and 300A;
3. directing the respondents not to restrict any other existing account or refuse opening of a new account of the petitioner on the basis of the petitioner's PAN or other identifiers in connection with the said complaint, and to correct any entry in any suspect/negative registry accordingly;
4. directing that non-payment of EMIs/interest during the freeze shall not be treated as default for asset classification or credit-information reporting and that charges levied be reversed;
5. granting any other relief deemed fit; the petitioner undertaking to co-operate with the investigation.



12. Conclusion

Cyber fraud is real and victims deserve speedy restitution. But the law does not permit the State to fight fraud by freezing the economic life of an honest shopkeeper who happened to receive ten rupees. The legislature has given the police a power of **seizure for evidence** under Section 106 and placed **attachment** under a Magistrate's control in Section 107. The MHA SOP of January 2026, the Supreme Court's suo motu directions and the RBI's draft SOP all point the same way, and the High Courts — the Punjab & Haryana High Court prominent among them — have converted that direction into a firm rule: **freeze the money, not the man; lien the disputed amount, release the rest.**

What remains is enforcement on the ground: banks must stop treating a portal e-mail as a licence to shut down a business, and must never extend a restraint through a PAN to accounts that have no connection with the crime. Until the legislature codifies these protections, the advocate's brief is clear — act early, document the trade, offer co-operation, and take the matter to the writ court without hesitation.