

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.01.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

W.P.No.40431 of 2015
and
M.P.No.1 of 2015

The Senior Regional manager,
Central Bank of India,
Regional Office,
48/49, Montieth Road,
Egmore, Chennai.

... Petitioner

Vs

1. The State of Tamilnadu,
Rep. By the Superintendent of Police,
Thiruvallur,
Thiruvallur District.
2. The Inspector of Police,
B-1, Thiruvallur Police Station,
Thiruvallur.
3. G.Ramachandran
4. Bhaskar.G
5. Ilayaraja
6. Moorthy
7. Ramakrishnan
8. Palani
9. Sathyamoorthy
10. Vasantha. L.
11. Mohandas
12. Elumalai
13. kumarai

14. Balaji

15. Stella

16. Killivalavan

17. Lakshmanan N

18. Kannan K.Iyer

... Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents 1 and 2 to provide adequate police protection to the petitioner's Pattaripudhur Branch of the bank to enable it to carry on its banking business peacefully with further directions to the said respondents to ensure the safety of the staffs, officers customers and materials.

For Petitioner : Mr.F.B.Benjamin George
For Respondents : Mr.P.Sanjay Gandhi,
Additional Government Pleader.
For R1 and R2.

O R D E R

The present Writ Petition has been filed to issue a Writ of Mandamus directing the respondents 1 and 2 to provide adequate police protection to the petitioner's Pattaripudhur Branch of the bank to enable it to carry on its banking business.

2. In the petition, it has been stated that the during the period from 14.06.2011 to 13.04.2013, the 18th respondent was the branch manager of the petitioner's Pattaraiperumbudur Branch. After his transfer, since repayment of loan amounts in some of the borrowers accounts were not forthcoming, the branch issued demand notice to those borrowers. On receipt of the demand notices, the respondents 3 to 17 approached the petitioner and levelled complaints against the 18th respondent alleging that he had cheated them and misappropriated part of the loan amounts sanctioned to them. They also gave written complaint stating that they are not liable to pay the amount as shown in the branch records and demand notices. Further the petitioner came to know that the respondents 3 to 17 have preferred a complaint with the District Crime Branch and the same has also been registered in Crime No.21 of 2015 against the 18th respondent. While so, on 12.01.2015, the respondents 3 to 17 assembled in front of the

Pattaraiperumbudur Branch and obstructed the entry of the Branch staff and customers into the premises. They demanded immediate closure of loans availed by them. Normalcy was restored only after the intervention of the police. Now, the petitioner has reliable information from the regular customers that the respondents 3 to 17 have decided to resort to violence to obstruct the day to day business of the petitioner's Pattariperumpudur Branch in order to arm twist the petitioner to write off their loans. Hence, the petitioner has come forward with the present Writ petition.

3. In view of the order going to be passed in this petition, there is no need for the court to issue notice to the respondents 3 to 18.

4. Heard the learned counsel for the petitioner and the learned Additional Government Pleader appearing for the respondents 1 and 2.

5. Considering the submission made on either side, this court directs the petitioner to give a fresh representation along with a copy of this order to the second respondent within a period of one week from the date of receipt of a copy of this order and make a request with regard to providing of police protection. On receipt of the same, the respondents 1 and 2 are directed to consider the representation of the petitioner with regard to providing of police protection and pass an appropriate order.

5. This Writ Petition is disposed of accordingly. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

mrp

To

1. The State of Tamilnadu,
Rep. By the Superintendent of Police,
Thiruvallur,
Thiruvallur District.

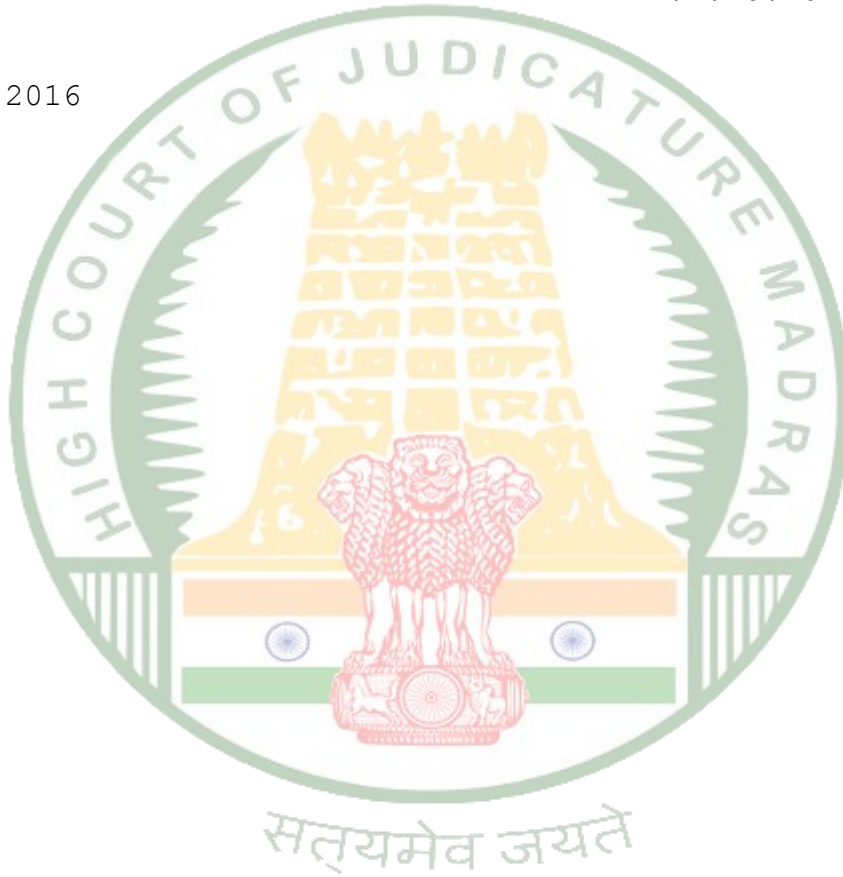
2. The Inspector of Police,
B-1, Thiruvallur Police Station,
Thiruvallur.

3. The Public Prosecutor,
High Court, Madras.

+1 cc to Mr.F.B.Benjamin George, Advocate, sr.2481
+ 1cc to Government Pleader sr no 2686[18/5/16]

W.P.No.40431 of 2015

kgk co
kra 12.02.2016



WEB COPY