



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.04.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM
and
THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P. (MD) No.893 of 2016
and
W.M.P. (MD) No.678 of 2016

1.V.Muthaiyan
2.P.Vijayakumar
3.R.Kumar
4.P.Francis Raja
5.V.Viswanathan
6.S.Raja
7.K.Arockiaraj
8.M.Vasudevan
9.A.Rengarajan

... Petitioners

-vs-

1.The Regional Director
Reserve Bank of India
South Zonal Office
No.16, Rajaji Salai
Fort Glacis, Chennai-600 001

2.The Managing Director
State Bank of Travancore
P.B.No.34, Poojapura
Thiruvananthapuram-695 012

3.The Chief Vigilance Officer
State Bank of Travancore
P.B.No.34, Poojapura
Thiruvananthapuram-695 012

4.The Deputy General Manager
State Bank of Travancore
4th Floor, Centennial Square
6A, Dr.Ambedkar Road
Kodambakkam, Chennai-600 024



5.The Chief Manager
State Bank of Travancore
Tiruchirappalli Branch
No.34, Subbaiah Pillai Towers
Chinnakadai Veethi
Trichy-620 002

6.The Authorized Officer
State Bank of Travancore
Tiruchirappalli Branch
No.34, Subbaiah Pillai Towers
Chinnakadai Veethi
Trichy-620 002

7.Suresh Thirumalai
Proprietor
Sri Aditya Builders
No.9, SV Complex, 2nd Floor
Musiri, Trichy District

8.Kattabomman
Chief Manager
State Bank of Travancore
Tiruchirappalli Branch
No.34, Subbaiah Pillai Towers
Chinnakadai Veethi
Trichy-620 002

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the respondents 1 to 3 herein to conduct enquiry on the petitioner's complaint, dated 15.12.2015, and take appropriate action against the respondents 7 and 8 herein.

For Petitioners: Mr.R.Subramanian

For Respondents: Mr.R.Pandivel for R2 to R6
Mr.C.D.Johnson for R7
Mr.R.Boomirajan for R8
No appearance for R1

O R D E R

(Order of the Court by **T.S.SIVAGNANAM, J.,**)

Heard Mr.R.Subramanian, learned counsel appearing for the petitioners, Mr.R.Pandivel, learned counsel appearing for the respondents 2 to 6, Mr.C.D.Johnson, learned counsel appearing for the seventh respondent and Mr.R.Boomirajan, learned counsel appearing for the eighth respondent and carefully perused the



materials placed on record.

2. None appeared on behalf of the first respondent.

3. The petitioners are borrowers of loan from the respondent - Bank. According to them, they have been cheated and fraud has been committed by the respondents 7 and 8. The eighth respondent is the Chief Manager of the State of Bank of Travancore, Tiruchirappalli Branch. The petitioners seek for an enquiry to be conducted against the respondents 7 and 8 and therefore, they seek for appropriate directions to the second respondent.

4. The learned counsel appearing for the respondents 2 to 6 would submit that a draft counter affidavit has been sent for approval.

5. The learned counsel appearing for the seventh respondent would submit that already a criminal case has been lodged against the respondents 7 and 8 and the matter is now pending before the Special Court for C.B.I. Cases at Madurai. Further, it is stated that against the eighth respondent, departmental action has been initiated.

6. Thus, in the light of the above, we feel that there would not be any necessity for filing counter as already action has been taken as against the respondents 7 and 8. The further grievance of the petitioner is that the eighth respondent is still continuing as Chief Manager. We do not wish to issue any direction in this regard, because it is for the second respondent to consider how it is to be dealt with.

7. The writ petition is disposed of with the above observations. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar (CS-I)
/True copy/

Sub Assistant Registrar

+1 CC to M/s.C.D.JOHNSON, Advocate, SR No. 51552
+1 CC to M/s.R.SUBRAMANIAN, Advocate, SR No. 51610
+1 CC to M/s.R.PANDIVEL, Advocate, SR No. 51437
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