

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.07.2018

CORAM :

The Hon'ble Ms.INDIRA BANERJEE, CHIEF JUSTICE

AND

The Hon'ble Ms.JUSTICE P.T.ASHA

W.P. No.18089 of 2018
and W.M.P.No.21368 of 2018

K.Ramasamy Udayar ... Petitioner

-vs-

- 1.The Director,
Reserve Bank of India,
No.16, Rajaji Salai,
Fort Glacis, Chennai 600 001.
 - 2.The Chief General Manager,
Indian Bank, Head Office,
Avvai Shanmugam Salai,
Royapettah, Chennai 600 014.
 - 3.The Zonal Officer,
Indian Bank, Zonal Office,
Thiruvannamalai.
 - 4.The Manager,
Indian Bank, Naidumangalam Branch,
Thiruvannamalai District.
- .. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct the 3rd respondent to consider the petitioner's representation dated 23.03.2018 and further direct the respondents to continue the functioning of Indian Bank, Naidumangalam Branch, Thiruvannamalai District, at the existing place.

For Petitioner : Mr.S.Silambu Selvan

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O R D E R
(Made by Ms.Indira Banerjee, Chief Justice)

This writ petition, purportedly in public interest, has been filed seeking a writ of mandamus directing the respondents to consider the representation dated 23.03.2018 and further directing the respondents not to shift the Naidumangalam Branch of Indian Bank at Thiruvannamalai District, from the existing location.

2.Where banks and/or their branches should be located are policy decisions with which the Court cannot interfere. It is within the discretion of the authorities of the Indian Bank to select the locations for its branches.

3.In the affidavit in support of the writ petition, it is not stated that there is no other bank in the vicinity. No customer of the bank has any right to insist that the bank be operated from any particular premises. In the writ petition, there is no reference to any rule or regulation which is being infringed by shifting the bank.

4.On the face of the averments in the writ petition, the bank is located in a private property. It is not for this Court to anticipate the reasons for the decision, if any, to shift the bank. The decision might have been prompted by the business expediency, locational convenience, or even better infrastructure and facilities. No customer of a bank has any right to insist that the branch of the bank should be located at any specific place.

5.Writ may lie for enforcement of a fundamental right or legal right or may be an equitable right. A writ may also be issued when there is an illegality.

6.In a Public Interest Litigation, the ordinary rule of locus standi gets diluted and any public spirited person can approach the Court. The Court does not throw a petition out on the ground of want of locus standi. However, even a public interest litigation has to be directed towards a prevalent illegality or alternatively, towards enforcement of a legal right.

The writ petition cannot be entertained and the same is dismissed. No costs. Consequently, W.M.P.No.21368 of 2018 also stands dismissed.

Sd/-
Deputy Registrar(CS)

//True Copy//

Sub Assistant Registrar

sra

To

- 1.The Director,
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Thiruvannamalai.
- 4.The Manager,
Indian Bank, Naidumangalam Branch,
Thiruvannamalai District.

+1cc to Mr.S.SILAMBU SELVAN, Advocate, S.R.No. 48412

सत्यमेव जयते

W.P.No.18089 of 2018

TR(03/08/2018)

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