

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.03.2019

CORAM :

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM
and
THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

Writ Appeal No.989 of 2019

T.Ganesan

...Appellant

-vs-

1. The Regional Manager,
The Oriental Bank of Commerce,
Spencer Plaza, Anna Salai,
Chennai - 600 002.
2. The Deputy General Manager,
The Oriental Bank of Commerce,
CMO Classic, 1st & 2nd Floors,
No.100, Mosque Road, Frazer Town,
Bangalore - 560 003.
3. The Branch Manager,
The Oriental Bank of Commerce,
Madurai Bench, A.R.Plaza,
No.16 & 17, North Veli Street,
Madurai - 625 001.

...Respondents

Writ Appeal filed under Clause 15 of Letters Patent against the order passed by this Court in W.P.No.17512 of 2018 dated 13.07.2018.

W.P.No.17512/2018:

Petition filed under Article 226 of the Constitution of India, praying to issue Writ of Mandamus, directing the 1st and 2nd respondents to consider the petitioners representation dated 13.06.2018.

For appellant : Mr.G.Thyagarajan

JUDGMENT

(Judgment of the Court was delivered by T.S.Sivagnanam, J.)

We have Heard Mr.G.Thyagarajan, learned counsel for the appellant.

2. This appeal has been filed challenging the order dated 13.07.2018 in W.P.No.17512 of 2018. The appellant is a Branch Manager and former employee of the respondent/bank and was terminated from service. By way of writ petition, the appellant sought for a direction of the Bank to consider his representation dated 13.06.2018. In the said representation, the appellant has raised certain disputes with regard to certain deductions which have been made from the car loan account. The appellant's case is that he was not issued any notice and without informing the appellant and without hearing the appellant unauthorized amount have been debited.

3. In our considered view, this claim cannot be adjudicated in writ petition, more so, when respondent is not a Nationalized Bank. Even assuming the respondent is Nationalized Bank, the dispute between appellant and respondent is purely contractual and writ petition cannot be entertained. Therefore, the learned Single Bench was right in dismissing the writ petition. Accordingly, we confirm the order passed by the learned Single Bench and dismiss this appeal.

4. However, we make it clear that it is open to the appellant to approach appropriate Forum for necessary relief if so advised.

5. In the result, this writ appeal is dismissed. No costs.

s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

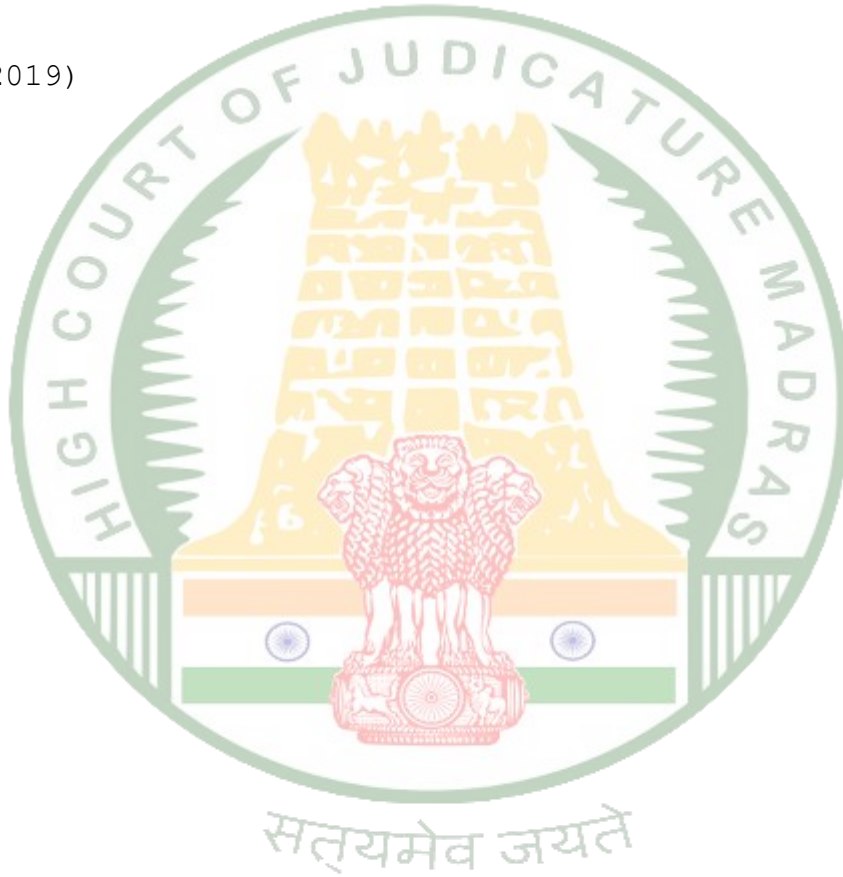
To

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RR(CO)
SP(14/05/2019)



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