

IN THE HIGH COURT OF JUDICATURE AT MADRAS  
DATED :04.04.2019  
CORAM  
THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM  
W.P.No.10192 of 2019

Anugraha Charitable Trust  
Rep.by its Secretary  
A.P.Devarajan, Age-61 years  
S/o.A.Panchatcharam  
Regd.Trust No, B K (IV) 183.2012-2013  
H.O..# 21, Anugraha, Santhosh Reddy Layout,  
Ramamurthy Post, Bengaluru - 560 016  
Branch Office at, 3-A, NVS Garden,  
Rajiv Gandhi, Madukkarai, Coimbatore - 641 105  
Residing at No.1, S.I., B.Block  
7<sup>th</sup> Right Saravanan Nagar,  
Manikandapuram  
Thirumullaivoil, Chennai - 600 062.

..Petitioner

vs

- 1.The General Manager,  
Syndicate Bank,  
Head Office at  
Manipal Easwar Nagar  
Udipi, Karnataka - 576 104
- 2.The Regional General Manager,  
Syndicate Bank,  
Regional Office,  
9513, 1<sup>st</sup> Floor  
2<sup>nd</sup> Cross Gandhi Nagar,  
Bengaluru - 560 009  
Karnataka State

- 3.The Regional Manager,  
Syndicate Bank,  
Coimbatore Division,  
R.A.Puram, Coimbatore - 641 002

- 4.Mr.Theagarajan  
The Senior Manager  
Syndicate Bank  
Ram Nagar Branch  
Coimbatore - 641 002.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the  
Constitution of India praying to issue a Writ of Mandamus, to  
issue direction to the 1<sup>st</sup> Respondent to direct the 3<sup>rd</sup> respondent

to take Disciplinary action against the 4<sup>th</sup> Respondent herein for demanding bribe in the name of Commission and disturbing smooth Cheque transactions, according to law, on our Complaint dated 5-3-2019.

For Petitioner : Mr.R.Balasubramanian

O R D E R

The relief sought for in the present writ petition is to issue direction to the 1<sup>st</sup> Respondent to direct the 3<sup>rd</sup> respondent to take Disciplinary action against the 4<sup>th</sup> Respondent herein for demanding bribe in the name of Commission and disturbing smooth Cheque transactions, according to law, on our Complaint dated 5-3-2019.

2.The relief sought for in the present writ petition is undoubtedly innocuous. If a criminal offence is committed by a public official, then a proper complaint is to be lodged before the authorities concerned for initiation of action.

3.The learned counsel for the writ petitioner states that the 4<sup>th</sup> respondent demanded bribe for certain banking transactions. If so, the writ petitioner has to approach the Vigilance Department or the concerned higher officials by filing a complaint against the officials, who demanded bribe. However, the allegation against the 4<sup>th</sup> respondent in the writ petition cannot be adjudicated by this Court as demand of bribe is to be established by the writ petitioner by submitting documents and by adducing evidences, if required. Contrarily, such disputed or complex facts can never be adjudicated in a writ proceedings under Article 226 of the Constitution of India. Thus, the writ petitioner is at liberty to approach the Vigilance Department or the competent authority in respect of his allegations regarding the demand of bribe by the Manager or any other officials of the Bank.

4.With these observations, the writ petition stands disposed of. However, there shall be no order as to costs.

Sd/-  
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

kak

To

1.The General Manager,  
Syndicate Bank,  
Head Office at  
Manipal Easwar Nagar  
Udipi, Karnataka - 576 104

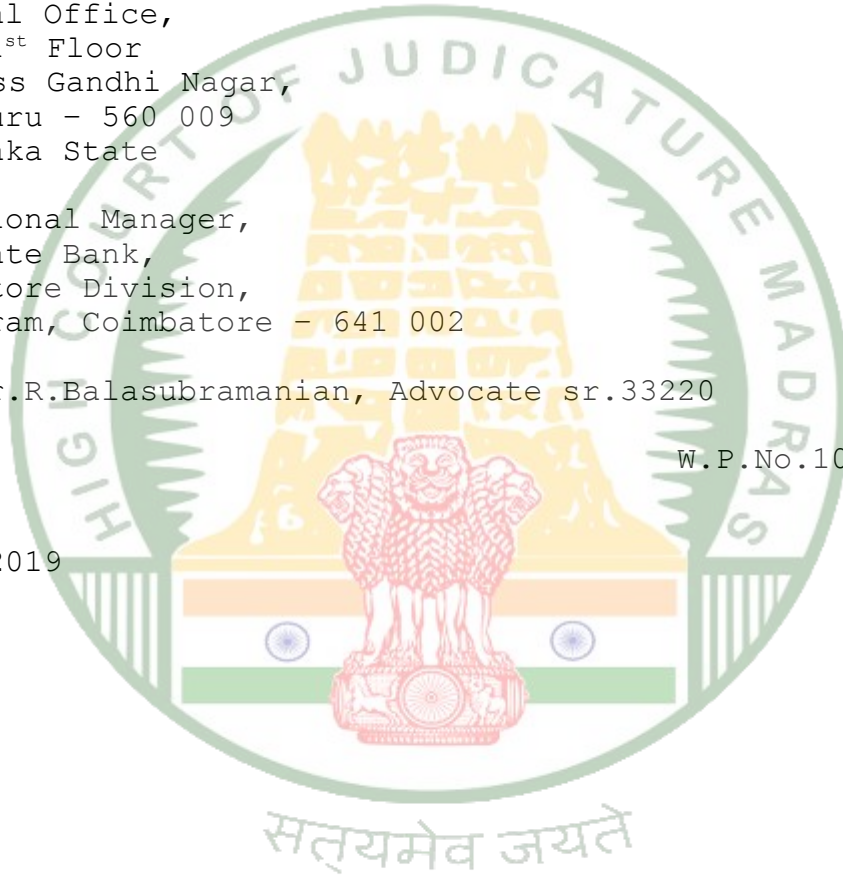
2.The Regional General Manager,  
Syndicate Bank,  
Regional Office,  
9513, 1<sup>st</sup> Floor  
2<sup>nd</sup> Cross Gandhi Nagar,  
Bengaluru - 560 009  
Karnataka State

3.The Regional Manager,  
Syndicate Bank,  
Coimbatore Division,  
R.A.Puram, Coimbatore - 641 002

+1cc to Mr.R.Balasubramanian, Advocate sr.33220

W.P.No.10192 of 2019

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nr 08/05/2019



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