



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 30.09.2020
CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

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W.P.(MD)No.12480 of 2020

M.Kesavapandian

... Petitioner

Vs.

1.Reserve Bank of India,
Rep. by its Regional Director,
16, Rajaji Salai, Fort Glacis,
Chennai-600 001.

2.Banking Ombudsman,
Reserve Bank of India,
16, Rajaji Salai, Fort Glacis,
Chennai-600 001.

3.The Managing Director & Chief Executive Officer,
City Union Bank Limited,
Administrative Office,
Kumbakonam,
Thanjavur District.

4.The Assistant General Manager,
City Union Bank Ltd.,
Administrative Office,
24B, Narayana Towers,
Gandhi Nagar,
Kumbakonam,
Thanjavur District.

5.The Branch Manager,
City Union Bank,
Tiruchengode,
Namakkal District.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents 1 and 2 to take necessary action against the respondents 3 to 5 and further direct the respondents 3 to 5 to disburse COVID-19 loan to the petitioner as per the Finance Minister's Announcements, dated 13.05.2020, based on the petitioner's representation dated 31.08.2020.



For Petitioner : No appearance

For R1 & R2 : Mr.K.R.Laxman

For R5 : Mr.Sivaraman

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O R D E R

None appears for the petitioner. However, this Court heard the learned counsel for the petitioner on 24.09.2020 at length. In order to ascertain the stand of the respondent Bank, short notice was issued to the fifth respondent alone.

2.Today, when the matter was taken up for hearing, the learned counsel appearing for the respondent Bank stated that the second part of the prayer is for acting on the petitioner's representation dated 31.08.2020. The said representation has been enclosed in the typed set of papers. The petitioner wants further loan to be granted to him under Credit Guarantee Scheme for Subordinate Debt. The learned Standing Counsel states that the petitioner's request has already been rejected on 05.09.2020 and the same was communicated to him. That leaves this Court with the other part of the prayer. The petitioner made an allegation against the Bank. He wants action thereon. The question that arises for my consideration is whether I should issue a Writ of Mandamus as sought for. The Bank Counsel states that the Bank advanced several crores of rupees to the petitioner. The petitioner has been found to be a willful defaulter. The Bank has initiated recovery proceedings before the Debt Recovery Tribunal. The petitioner has lodged a criminal case against the Bank and its officials. Thus, it is seen that there is no love lost between the petitioner and the respondent Bank. This complaint has been given in such a background.

3.I am of the view that this Court cannot be used as a tool for settling the personal scores of the petitioner. No case has been made out for issuing a Writ of Mandamus. This Petition is dismissed. No costs.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)



Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

The Regional Director,
Reserve Bank of India,
16, Rajaji Salai, Fort Glacis,
Chennai-600 001.

+1 CC to M/s.M.P. SENTHIL, Advocate (SR-18644[F] dated
01/10/2020)

W.P. (MD) No.12480 of 2020
30.09.2020

skm
SDS (02.11.2020) 3P-3C