



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.11.2020

CORAM:

THE HONOURABLE MR.JUSTICE **S. VAIDYANATHAN**

W.P. (MD)Nos.14032 and 14055 of 2018

W.P. (MD)No.14032 of 2018

Ramesh

... Petitioner

-vs-

1. The Ombudsman,
C/o.Reserve Bank of India,
Fort Glasis,
Chennai - 600 001.

2. The Manager,
Punjab National Bank,
Nandhikovil Branch,
Trichy City.

3.Karpagam
4.Vivahar
5.Jeyakumar

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents No.1 and 2 to consider the petitioner's representation dated 26.03.2018.

W.P. (MD)No.14055 of 2018

Yamuna

... Petitioner

-vs-

1. The Ombudsman,
C/o.Reserve Bank of India,
Fort Glasis,
Chennai - 600 001.



2. The Manager,
Punjab National Bank,
Nandhikovil Branch,
Trichy City.

3.Karpagam

4.Vivahar

5.Sridhar

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents 1 and 2 to consider the petitioner's representation dated 26.03.2018.

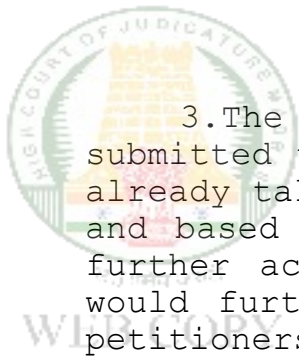
In both cases

For Petitioner	: Mr.R.Sundar
For Respondent 1	: No appearance
For Respondent 2	: Mr.V.Veera Pandian for M/s.Vast Law Association
For Respondents 3 & 4	: Mr.M.Saravanan

COMMON ORDER

The petitioner in both cases has come forward with the present Writ Petitions seeking issuance of Writ of Mandamus directing the respondents 1 and 2 to consider the petitioners' representation dated 26.03.2018.

2.The learned Counsel appearing for the petitioners would submit that the respondents 3 and 4 floated a layout in the name and style of "Guru Gardens" between Aranmanaiputhur and Chathirapatti and when the petitioners wanted to purchase a plot and build a house, they promised that they will arrange loan for them from Punjab National Bank and cheated them in collusion with the fifth respondent in both cases. The learned counsel appearing for the petitioner would further submit that the respondents 3 and 4 in both cases have pledged the very same documents and availed loan and some of them have belonged to Sun Shine company and by depositing the very same title various loans have been taken. Therefore, the petitioners have filed CrI.O.P.(MD)Nos.1917 and 1919 of 2018 seeking CBI investigation and this Court negatived the prayer, however, as the petitioners have alternative remedy, they were directed to approach the Ombudsman of Punjab National Bank. Thereafter, the petitioners have made detailed representation to the respondents 1 and 2 on 26.03.2018. Since the same has not been considered, the petitioners have come forward with the present Writ Petitions.



3.The learned Counsel appearing for the second respondent submitted that as there was a defraud, the Punjab National Bank has already taken steps and lodged a complaint as early as on 18.07.2018 and based on which, the Central Bureau of Investigation has taken further action and registered FIR and the matter is pending. He would further submit that the anticipatory petitions filed by the petitioners were dismissed.

4.Since already the accused are appearing before the Central Bureau of Investigation, the matter has got to be proceeded further and brought to the logical end. As the total amount involved is nearly 16 Crores, according to the bank and if the submission of the bank is established the accused cannot go scot-free.

5.In view of the above, both the Writ Petitions are dismissed. No costs.

Sd/-

Assistant Registrar (A.S)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

SRM

To

1. The Ombudsman,
C/o.Reserve Bank of India,
Fort Glasis,
Chennai - 600 001.
2. The Manager,
Punjab National Bank,
Nandhikovil Branch,
Trichy City.

+2ccs to Mr.R.Subramanian, Advocate, SR.No.23050.

W.P(MD)Nos.14032 and 14055 of 2018
26.11.2020

KVN(CO)
CS(29.01.2021) 3P 5C