



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATE : 31.03.2022

CORAM:

THE HON'BLE MR JUSTICE G.ILANGO VAN

W.P. (MD) No.12434 of 2021

C.Rajamani

... Petitioner

Vs.

1.The Deputy Director,
Central Bureau of Investigation (CBI),
No.26, Sastri Bhavan, 3rd Floor,
Chennai-6.

2.The Branch Manager,
Canara Bank,
Chidamparam Nagar Branch,
Thoothukudi.

... Respondents

Prayer : Writ petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to direct the first respondent to investigate by their office on the complaint dated 05.08.2020 filed by the petitioner on the affairs of the officials of the second respondent Bank relating to the sale of his property in T.S.No.3604 said to have been pledged with the second respondent Bank as an equitable mortgage for the vehicle loan availed by Mrs.Rajammal, and fix a time frame to conclude the investigation and or grant such order(s) or relief(s) as expedient to the facts and circumstances of the matter.

For Petitioner	: Mr.N.Sundaresan
For R1	: Mrs.Victoria Gowri Assistant Solicitor General of India
For R2	: Mr.N.Dilip Kumar (Vakalat not filed)

O R D E R

This petition is filed seeking direction to direct the first respondent to register a complaint and investigate the matter in accordance with law.

2.When the matter is taken up for hearing, the learned Assistant Solicitor General of India appearing for the first respondent would submit that it is a private dispute between the petitioner and the banker, in which, a sum of Rs.3 lakhs are involved. Since the amount involved in this matter is Rs.3 lakhs,



the first respondent can not undertake the investigation. The second contention is that the petitioner can approach the concerned jurisdictional Police, if at all, he is aggrieved by the transaction undertaken by the second respondent herein.

3.The learned counsel for the petitioner would submit that several mistakes have been committed in the above said transaction. Only his sister is involved in the above said transaction. On that ground, he seeks indulgence of the first respondent for making investigation.

4.However, it is a private dispute between the petitioner and the second respondent and hence, the petitioner can approach the concerned jurisdictional Police for appropriate action.

5.With the above said liberty, this petition is disposed of. No costs.

Sd/-

Assistant Registrar (AD-II)

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Sub Assistant Registrar(CS)

dss

To

1.The Deputy Director,
Central Bureau of Investigation (CBI),
No.26, Sastri Bhavan, 3rd Floor,
Chennai-6.

2.The Branch Manager,
Canara Bank,
Chidamparam Nagar Branch,
Thoothukudi.

+1 CC to M/s.M.SUNDARESAN, Advocate (SR-15640[F] dated 31/03/2022)

+1 CC to M/s.N.DILIPKUMAR, Advocate (SR-15850[F] dated 31/03/2022)

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SG(CO)

KB(13.04.2022) 2P 5C