



W.P(MD)No.27475 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.12.2022

CORAM :

**THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR
and
THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR**

W.P(MD)No.27475 of 2022
and
WMP(MD)No.21578 of 2022

S.Chelladhurai

... Petitioner

vs.

1. The Zonal Manager,
The Zonal Office,
Punjab National Bank,
No.46-49, 4th and 5th Floor,
RH, Rayapettai,
Chennai-14.

2. The Circle Manager,
Circle Office,
Punjab National Bank,
Trichy to Thanjavur Road,
Kailasapuram,
Thiruverumbur,
Trichy.

3. The Branch Manager,
Punjab National Bank,
Dalmiyapuram,

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Lalgudi Thaluk,
Trichy District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, directing the 1st and 2nd respondents to continue the operation of the 3rd respondent Bank at Dalmiyapuram, Trichy, by considering the petitioner's representation dated 19.11.2022.

For Petitioner : Mr.A.Azhageson
For Respondents : Mr.Veera Pandian, standing counsel

ORDER

(Order of the Court was made by D.KRISHNAKUMAR, J.)

The petitioner by this *pro bono publico*, has sought for issuance of a Writ of Mandamus, directing the respondents 1 and 2 to continue the operation of the 3rd respondent Bank at Dalmiyapuram, Trichy, by considering his representation dated 19.11.2022.

2. Learned counsel for the petitioner submitted that the 3rd respondent Bank is functioning in the present locality namely,



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Dalmiyapuram, Lalkudi Taluk, Trichy District, for more than 30 years and it is having more than 1000 customers and it caters the needs of the general public regarding banking transactions. When that being so, the respondents 1 and 2 have suddenly taken a decision to shift the 3rd respondent Bank from Dalmiyapuram to Kallamedu Street, Kallikudi, which is far away from the present place. Further, the proposed place is a rural area, where several mining activities are being carried out and therefore, it is not a suitable place for proper functioning of the 3rd respondent Bank. Hence, he prayed for a Mandamus as stated supra.

3. Per contra, learned counsel for the respondents submitted that the present place in which, the 3rd respondent Bank is now functioning, is in a dilapidated condition and therefore, they have no other option except to shift the Bank to the proposed place which is situated just 2 kms from the present place. He further submitted that the said decision to shift the 3rd respondent Bank was taken pursuant to an incident where a concrete roof of the present building fell on the



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head of a customer who lodged a complaint in this regard with the respondents 1 and 2 and pursuant to the inspection conducted by the respondents 1 and 2, the decision to shift the 3rd respondent Bank was taken on administrative grounds. In this regard, the Bank had invited public tender from the landlords for new premises and the proposed place is a residential area and situated very few yards away from the National Highways, besides, there is a bus stop nearby the proposed place and parking space for customers is also available therein. Therefore, the petitioner cannot question the administrative decision of the respondents 1 and 2 to shift the 3rd respondent Bank and hence, the writ petition is liable to be dismissed.

4. Heard both sides.

5. As rightly contended by the learned counsel for the respondents, the decision to shift the 3rd respondent Bank to the proposed place has been taken due to the dilapidated condition of the present place and further, the proposed place is situated just 2 kms



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from the present place and it is stated to be in a residential area and therefore, we cannot interfere in such administrative decision of the respondents which was taken taking into consideration the dilapidated condition of the present building.

6. Hence, we see no merit in the contentions of the petitioner. The Writ Petition is liable to be dismissed and accordingly, dismissed. No costs. Consequently, connected miscellaneous petition is closed.

[D.K.K.,J.] & [R.V.,J.]
06.12.2022

Index : Yes / No
Internet : Yes
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To

1. The District Collector,
Thanjavur.

2. The Commissioner,
Thanjavur City Municipal Corporation,
Thanjavur.

3. The Revenue Divisional Officer,
Thanjavur.

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4. The Tahsildar,
Thanjavur.

5. The Assistant Engineer,
Tamil Nadu Generation and Distribution Corporation Limited,
Thanjavur.



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and
R.VIJAYAKUMAR, J.

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ORDER MADE IN
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