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W.P.No.22021 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.04.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.22021 of 2022

Anil Kumar Ojha

... Petitioner

-Vs-

1. The Central Vigilance Commissioner,
Central Vigilance Commission,
Satarkata Bhavan,
A Block, GPO Complex,
New Delhi – 110023.

2. The Central Vigilance Officer & General Manager,
Corporation Bank Head Office,
Now Union Bank of India,
Pandeshwar,
Mangaladevi Temple Road,
Mangalore – 575 001.

... Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Mandamus, directing the 1st respondent to conduct an inquiry in the complaint dated 10.05.2018 registered as Complaint No.104305/2018/vigilance – 3, filed by petitioner before the 1st respondent, by giving an opportunity to the petitioner and to pass orders in the same within a time frame as may be fixed by this Court.



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For Petitioner : Mr.S.Ravichandran
for M/s C.Jayachithra

For R1 : Mr.A.R.Sakthivel
Central Government Standing Counsel

For R2 : Mr.S.Sethuraman

ORDER

This Writ Petition has been filed for the issuance of Writ of Mandamus, directing the 1st respondent to conduct an inquiry in the complaint dated 10.05.2018 registered as Complaint No.104305/2018/vigilance – 3, filed by petitioner before the 1st respondent, by giving an opportunity to the petitioner and to pass orders in the same within a time frame as may be fixed by this Court.

2. Heard the learned counsel on either side and perused the materials available on record.

3. The petitioner is the Director of M/s SLO Industries. The corporate debtor company was admitted for the Corporate Insolvency Process (CIRP), by an order dated 04.11.2019, on the file of the National



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Company Law Tribunal, Chennai. The petitioner submitted a proposal for renewal and enhancement of their existing limit at the Kellys Corner branch of Corporation Bank on 10.07.2014, for the purpose of manufacturing facilities. The said proposal was rejected after a period of five months. The petitioner had sent a letter to the Chairman of the Corporation by explaining all the grievances and it was forwarded to the first respondent. However, so far no action has been taken as against the officers concerned who refused the facility for enhancement sought for by the petitioner.

4. The learned counsel for the respondents would submit that so far the petitioner availed a sum of Rs.216 Crores as loan. Further, the petitioner applied for enhancement of financial facilities. However, the said process was rejected by the Banker. Therefore, the petitioner lodged a false complaint as against the sub-ordinates. Further, the petitioner had committed default in repayment and as such, the Union Bank of India had filed an application before the Debt Recovery Tribunal I, Chennai to recover a sum of Rs.236 Crores. The company is facing liquidation process before the NCLT, Chennai.



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5. Therefore, the direction sought for in this writ petition cannot be considered and the writ petition is devoid of merits and is liable to be dismissed. Accordingly, this writ petition is dismissed. There shall be no order as to costs.

22.04.2024

Internet: Yes

Index : Yes/No

Neutral Citation: Yes/No

Speaking/Non Speaking order

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To

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G.K.ILANTHIRAIYAN. J,

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