



WEB COPY



W.P.No.1379 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.04.2024

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.1379 of 2024

Sunit Kumar Agarwal

... Petitioner

Vs.

1.The Asstt. General Manager,
(For Kind Attention Ms.Meera, AGM),
Punjab National Bank, Central Sashttra Circle,
2nd Floor, Spencer Plaza, 769 Anna Salai,
Chennai 600002 (TN)

2.Mr.K.Mahadevan
Asstt.General Manager,
Punjab National Bank, Zonal SASTRA,
4th Floor, PNB Tower, 46- 49,
Royapettah High Road, Royapettah,
Chennai 14 (TN)
[Formerly Posted As AGM at Punjab National Bank,
Central SASTRA Circle, 2nd Floor, Spencer Plaza,
769 Anna Salai, Chennai 600002 (TN)]

3.The Chief Manager
(For Kind Attention Ms.Narmadha),
Punjab National Bank, 150 Luz Curch Road,
Mylapore, Chennai 600004 (TN)

4.The Chief Manager.



W.P.No.1379 of 2024

(For Kind Attention Mr.D.Muthukumar)

Punjab National Bank,
No. 21 Raja Annamalai Road,
Puruswalkam, Chennai 600084

5.Mr.Rahul Srivastava

Chief Manager, Punjab National Bank,
Retail Assets Branch (Loan Point),
3rd Floor, Royala Towers,
158 Anna Salai, Chennai 02 (TN)
[Formerly Posted As CM at Punjab National Bank,
No. 21 - Raja Annamalai Road, Puruswalkam Chennai 84 (TN)]

6.Mr.Amit Kumar

Chief Manager, Punjab National Bank,
Head Customer Acquisition Centre (CAC),
Trichy Main Branch, Behind Bus Stand,
Tiruchirappalli , Trichy, Trichy 621 111 (TN)
[Formerly Posted As Cm At Punjab National Bank,
No. 21 Raja Annamalai Road, Puruswalkam Chennai 84 (TN)]

7.Mr.Shiva Komra

Manager - Law, Punjab National Bank, Sastra Centre,
1st Floor 27-33-40 Kodavalli Vari Street,
Besant Road Cross, Governorpet,
Vijayawada- 520 002 (AP)
[Formerly Posted as MGR- Law at ARMB, Mezzanine Floor,
PNB Tower, 46- 49 Royapettah High Road,
Royapettah, Chennai-600014 (TN)]

8.Ms.Praseetha Pillai @ Prabhakaran

Chief Manager- Law,
Punjab National Bank, Zonal Office,
Camp Office- 6- 1- 73 , 2nd Floor, Saeed Plaza, Ladki- Ka- Pul,
Saifabad, Khairtabad,
Hyderabad 500 004 (Telengana) ,
[Formerly Posted as Sr Mgr- Law at Circle Office, 2nd Floor,
PNB Tower, 46- 49 Royapettah High Road,
Royapettah, Chennai 600014 (TN)]



W.P.No.1379 of 2024

9.The Circle Head,
Punjab National Bank, Circle Office, PNB Tower,
2nd Floor, 46- 49 Royapettah High Road,
Royapettah Chennai 14(TN)

10.The Zonal Manager
Punjab National Bank, Zonal Office, PNB Tower,
5th Floor, 46- 49 Royapettah High Road,
Royapettah Chennai 14(TN)

...Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus, directing the respondents jointly severally or individually to pay to the petitioner the dues of Rs.6,80,412/- (now coming to Rs. 13,60,824 /-) of the bills for the services already rendered by the petitioner as an advocate and availed by the respondents along with bank rate of interest and to compensate with Rs. One Crore for mental agony, harassment and suffering and loss of reputation and legal practice prospects etc., and the cost of the suit/ writ to the petitioner.

For Petitioner	: Mr.Sunit Kumar Agarwal, Party in Person
For Respondents (for R2 & R10)	: : Mr.P.Raghunathan for M/s.T.S.Gopalan & Co.
(for R1, R3 to R9)	: No appearance



W.P.No.1379 of 2024

WEB COPY

ORDER

The writ of mandmaus has been instituted to direct the respondents to jointly, severally or individually to pay to the petitioner the dues of Rs.6,80,412/- (now coming to Rs. 13,60,824 /-) of the bills for the services already rendered by the petitioner as an advocate and availed by the respondents along with bank rate of interest and to compensate with Rupees One Crore for mental agony, harassment and suffering and loss of reputation and legal practice prospects etc., and the cost of the suit/ writ to the petitioner.

2. The writ petitioner was holding the post of the law officer in Punjab National Bank and subsequently enrolled as an advocate in the bar counsel. The Bank engaged the petitioner to represent their cases before various Courts. The petitioner states that he also represented the cases on behalf of the bank and performed his professional service diligently. The bills submitted by the petitioner claiming legal fees were not honoured and thus, the present writ petition came to be instituted.



W.P.No.1379 of 2024

3. The learned counsel for the respondents would submit that the undisputed bills, submitted by the petitioner, were already settled and regarding certain bills, there are disputes between the parties. The Bank raised allegations that the petitioner has not pursued the legal matters properly and certain deficiency in services were identified by the Bank authorities. Therefore, those bills are yet to be settled.

4. This Court is of the considered opinion that the relationship between the lawyer and the litigant is privileged. No doubt, the respondent bank is a State within the meaning of Article 12 of the Constitution of India. The bills submitted claiming legal fees are to be normally settled by following the due process. However, the disputed bills cannot be adjudicated in a writ proceedings under Article 226 of the Constitution of India. High Court cannot conduct a roving inquiry in respect of such disputed bills in a writ proceedings. Therefore, the petitioner has to approach the competent Civil Court of law for the purpose of establishing his right to receive legal fees in respect of such disputed bills.

5. The learned counsel for the respondents would further submit that the petitioner served as a law officer for the bank for about 40 years and as



W.P.No.1379 of 2024

an experienced employee of the bank, he knows the procedures. The disputed bills are not settled and in this regard, a lawyer's notice was issued to the petitioner by the bank. The said reply notice, to the legal notice, issued by the petitioner would reveal the facts and the reasons for not settling certain bills. Therefore, the petitioner has to approach the competent Civil Court of law for the purpose of resolving the issues regarding the settlement of legal fees.

6. With the liberties, the writ petition stands dismissed. No costs.

(sha)
Index : Yes
Speaking Order
Neutral Citation : Yes

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W.P.No.1379 of 2024

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S.M.SUBRAMANIAM. J.,

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