



W.P.(MD).No.20223 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.12.2024

CORAM

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

W.P.(MD).No.20223 of 2017

K.Venkatesh

...Petitioner

Vs

- 1.Union of India,
Represented by its,
The Principal Secretary,
Ministry of Finance,
Department of Revenue,
134-A/north block,
New Delhi.
- 2.The Regional Director,
Regional Office, Reserve Bank of India,
Fort Glocis,
16, Rajaji Salai,
Chennai.
- 3.Senior Vice President,
Axis Bank,
Karumuthu Nilayam,
No.192, Anna Salai,
Chennai.
- 4.The Managing Director / CEO,
Axis Bank Limited,
2nd Floor, Axis House,
C-2, Wadia International Centre,
P.B.Marg, Worli,
Mumbai – 400 025.



W.P.(MD).No.20223 of 2017

5.The Assistant General Manager,
Axis Bank Limited Circle Office,
Aalim Centre,
3rd Floor,
Chennai.

6.The Branch Manager,
AXIS Bank Limited,
Rural Lending Operation, Rajapalayam Branch,
Virudhunagar District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying this Court to issue a Writ of Mandamus, directing the respondents 1 and 2 to take action against the 6th respondent, consequently to direct the respondents 1 and 2 to direct the respondents 3, 4, 5 and 6 to pay fair and reasonable amount of compensation to the petitioner within the time stipulated by this Court.

For Petitioner : Mr.R.Alagumani

For R-1 : Mr.C.Nandagopal

For R-3 to R-6 : Mr.M.Senthil Kumar

ORDER

Heard the learned counsels on either side.

2. This Writ Petition has been filed praying for a Mandamus, directing the respondents 1 and 2 to take action against the 6th respondent and to consequently direct the respondents 1 and 2 to direct the respondents 3, 4, 5 and 6 to pay fair and reasonable amount of compensation to the petitioner.



W.P.(MD).No.20223 of 2017

3. In view of the decision of the Hon'ble Apex Court in the case of

Federal Bank Limited Vs Sagar Thomas and others reported in **2003 10 SCC 733**, the present writ petition against the private bank is not maintainable. Further, the disputes between the parties arise out of a contract entered into between the petitioner and the respondents for securing certain benefits from the bank.

4. Hence, on that ground as well, the writ petition cannot be entertained. However, liberty is granted to the petitioner to approach the appropriate civil court to seek remedy for redressing his grievance in the manner known to law. When the petitioner approaches the civil court, the period of pendency of the writ petition shall be excluded while calculating the period of limitation.

5. With the aforesaid liberty, this Writ Petition stands dismissed.

There shall be no order as to costs.

18.12.2024

NCC:yes/no

Index:yes/no

Internet:yes/no

Nsr



W.P.(MD).No.20223 of 2017

To:
WEB COPY

- 1.The Principal Secretary,
Union of India,
Ministry of Finance,
Department of Revenue,
134-A/north block,
New Delhi.
- 2.The Regional Director,
Regional Office, Reserve Bank of India,
Fort Glocis,
16, Rajaji Salai,
Chennai.
- 3.Senior Vice President,
Axis Bank,
Karumuthu Nilayam,
No.192, Anna Salai,
Chennai.
- 4.The Managing Director / CEO,
Axis Bank Limited,
2nd Floor, Axis House,
C-2, Wadia International Centre,
P.B.Marg, Worli,
Mumbai – 400 025.
- 5.The Assistant General Manager,
Axis Bank Limited Circle Office,
Aalim Centre,
3rd Floor,
Chennai.
- 6.The Branch Manager,
AXIS Bank Limited,
Rural Lending Operation, Rajapalayam Branch,
Virudhunagar District.



WEB COPY



W.P.(MD).No.20223 of 2017

K.KUMARESH BABU, J.

Nsr

W.P.(MD).No.20223 of 2017

18.12.2024