



WP No.3457 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.01.2025

CORAM

THE HON'BLE MR.K.R.SHRIRAM, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

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and

WMP Nos.4034, 4039 of 2020

S.M.Santos Kumar

: Petitioner

versus

- 1.The Banking Ombudsman,  
C/o Reserve Bank of India,  
rep. By its Asst General Manager  
Fort Glacis, No.16, Rajaji Salai,  
Chennai 1
- 2.DBS Bank India Ltd.,  
rep. By its President & Chief Operating Officer,  
Corporate Office, LVB House,  
4/1, Sardar Patel Road,  
Guindy, Chennai 32
- 3.DBS Bank India Ltd.,  
rep. By its Branch Manager,  
Vengambedu Branch,  
Karur District



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4. Authorised Officer

DBS Bank India Ltd.,  
Regional Office, 2<sup>nd</sup> Floor,  
Registered Office Building,  
Salem Main Road, Kathapara,ai,  
Karur 639 006

5. The General Manager,

District Industries Centre,  
10/69, Sathamurthy Nagar,  
Thanthonimalai, Karur

: Respondents

(R-2 to R-4 amended as per order  
dated 08.11.2024 in WMP No.36803/2024)

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus calling for the records and order dated 24.07.2019 passed by the 1<sup>st</sup> respondent in complaint no.2018190060009086 renumbered as 201819006010783 and quash the same and further direct the 1<sup>st</sup> respondent to decide and dispose of the above complaint on merits and in accordance with principles of justice.

For Petitioner : Mr.Anirudh Krishnan  
for Mr.S.Kaushik Ramaswamy

For 1<sup>st</sup> Respondent : Mr.C.Mohan  
for M/s.King and Partridge

For Respondent 2, 3, 4 : Mr.C.Kannan

For Respondent No.5 : Mr.Habeeb Rahman,  
Government Advocate



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ORDER

(Order of the Court was made by the Hon'ble Chief Justice)

Petitioner is impugning an order dated 24.07.2019 on various grounds.

2. When we observed, after considering the contents of the impugned communication dated 24.07.2019, that it is without any reason and cannot be sustained, counsel for respondent No.1, the banking ombudsman, in fairness, as an officer of the Court, agreed with the Court that the order could have been better written and contained better reasons.

3. Mr.R.Kannan, appearing for the bank, also concurred with the view expressed by the Court.

4. Therefore, without going into the merits of the matter, we hereby quash and set aside the impugned communication dated 24.07.2019 and remand the matter for *de novo* consideration.



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5. Respondent No.1 shall pass a fresh order, after considering the complaint filed by petitioner, and before passing an order, which shall be a reasoned order dealing with all submissions of petitioner, also give a personal hearing, notice whereof shall be communicated at least five working days in advance.

6. All rights and contentions are kept open. We also hasten to add that we have not made any observation on the merits of the matter.

7. Petition disposed. There will be no order as to costs. Consequently, all the interim applications also stand disposed of.

**(K.R.SHRIRAM, CJ.)**

**(SENTHILKUMAR RAMAMOORTHY, J.)**

**03.01.2025**

Index : Yes/No  
Neutral Citation : Yes/No  
tar



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To  
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- 1.The Asst General Manager  
Banking Ombudsman,  
C/o Reserve Bank of India,  
Fort Glacis, No.16, Rajaji Salai,  
Chennai 1
- 2.The General Manager,  
District Industries Centre,  
10/69, Sathamurthy Nagar,  
Thanthonimalai, Karur



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THE HON'BLE CHIEF JUSTICE

AND

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