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1

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.03.2025

CORAM

THE HON'BLE MR. JUSTICE **C.V.KARTHIKEYAN**

W.P.No.3701 of 2025

and

W.M.P.No.4085 of 2025

P.Karthick

...Petitioner

Vs.

1.Canara Bank

Rep. by its Authorized Signatory,
R & L Section, Circle Office,
No.524, Anna Salai, Teynampet,
Chennai – 600 018.

2.The Branch Manager

Canara Bank,
Anthiyur Branch,
Erode District.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records of the 2nd respondent culminated under the impugned order dated 13.08.2024 made under Reference No.ANTHIYUR/KARTHICK/2 as nul and void and quash the same and consequently, direct the respondents to remove the fraud report made against the petitioner.



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2

For Petitioner	.. Mr.Mukunthan, Senior Counsel
	For Mr.O.S.Karthikeyan
For R1 & R2	.. Mr.Gautham S Raman

ORDER

This Writ Petition has been filed in the nature of a Certiorarified Mandamus seeking records of the 2nd respondent, the Branch Manager, Canara Bank, Anthiyur Branch, Erode District, dated 13.08.2024 in Reference No. ANTHIYUR/KARTHICK/2 and to quash the same and direct the respondents to remove the fraud report made against the petitioner herein.

2.In the affidavit filed in support of the writ petition, it had been stated that the petitioner had joined services of Canara Bank as Agri Extension Officer (AEO) on 21.10.2013 and served in Nilgiris District. Subsequently, on 06.11.2015 he had been transferred to Anthiyur Branch. It had been contended that he recommended various agricultural loans to the farmers. Those loans were sanctioned and approved by the Chief Manager or Second Line Manager in the branch. It had also been contended that after



a lapse of four years, a show cause notice had been issued on 03.06.2024 calling upon the petitioner to submit an explanation, as to why the loans recommended by him should not be classified as fraud. He had given a reply on 24.06.2024. The show cause notice had also been issued by the 1st respondent. However, the 2nd respondent had issued a communication, which is extracted below in entirety.

“Sir,

Sub: Examination of fraud angle in the Account of Karthick and others

Ref: Our letter (Show cause notice) dated 03.06.2024

Your Reply Dated 24.06.2024.

With reference to the above subject your reply for the show cause notice has been examined and the same is not found acceptable.

Therefore, your account has been classified as fraud.

This is for your information.”

3.It is seen that no reasons had been given as to why the account had been classified as fraud. It is also not stated as to why the 2nd respondent had issued this particular communication and why the 1st respondent had not committed himself in issuing any communication or order pursuant to the



reply given by the petitioner to the show cause notice.

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4.The learned counsel for the respondents had widened the scope of arguments by pointing out that several of the loans which had been recommended by the petitioner and subsequently sanctioned by the 2nd respondent, had actually been forwarded to various beneficiaries, but it was later found that the petitioner had taken away portions of that money from the beneficiaries account and had transferred the same to his account and to his relatives account and thereby misappropriated the monies of the bank. In this connection, an enquiry had been conducted and orders had been passed. But that is independent of the show cause notice which had been issued and the communication which is impugned in the writ petition.

5.The learned counsel for the respondents further stated that this Court should protect the amount which according to the respondents had been misappropriated by the petitioner from not being disbursed and utilized by the petitioner.

6.Unfortunately, this Court would be exceeding its jurisdiction if such



an order is passed without details being provided. Had the 2nd respondent provided details in the impugned order of communication, then to a little extent, the Court could have entered into that particular zone. But the impugned communication is extremely cryptic and there are no reasons and it had been issued by the 2nd respondent, when the show cause notice had been issued by the 1st respondent.

7. In view of these reasons, the impugned communication dated 13.08.2024 is set aside. The matter is remanded back. The 1st respondent may take up the responsibility to pass a detailed order after considering the explanation of the petitioner to the show cause notice. The 1st respondent may pass appropriate orders within a period of three weeks from the date of receipt of a copy of this order. The procedure as enunciated by law may be followed in this regard. Accordingly, this Writ Petition stands disposed of. No costs. Consequently, connected Writ Miscellaneous Petition is closed.

19.03.2025

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Index: Yes/No
Internet: Yes/No



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To

1.The Authorized Signatory,
Canara Bank,
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No.524, Anna Salai, Teynampet,
Chennai – 600 018.

2.The Branch Manager
Canara Bank,
Anthiyur Branch,
Erode District.



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7

C.V.KARTHIKEYAN,J.

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