



W.P.No.12811 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 04.07.2025

CORAM:

THE HONOURABLE MR. JUSTICE **D.BHARATHA CHAKRAVARTHY**

W.P.No.12811 of 2025

and

W.M.P.Nos. 14357 & 22846 of 2025

RAMACHANDIRAN

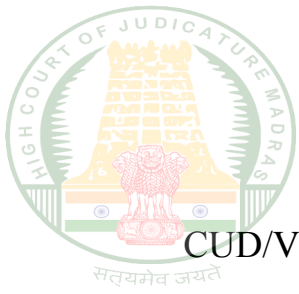
... Petitioner

Vs

1. THE DEPUTY SUPERINTENDENT OF POLICE,
CENTRAL BUREAU OF INVESTIGATION (ACP),
3RD FLOOR, SHASTRI BHAVAN,
26, HADDOWS ROAD,
NUNGAMBAKKAM,
CHENNAI.
2. THE CHIEF VIGILANCE OFFICER,
HEAD QUARTERS OF INDIAN BANK,
ROYAPETTAH, CHENNAI.
3. DIRECTOR,
DIRECTORATE OF VIGILANCE AND
ANTI - CORRUPTION (DVAC),
NO.293, M.K.N. ROAD,
ALANDUR, CHENNAI.
4. GOPI THIRUMURTHULA
5. ASHIQ AHAMED

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Certiorarified Mandamus, to call for the records in connection with impugned proceedings of the second respondent Ref/ZO/



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CUD/Vig/2022-23 dated 22.03.2023 and quash the same as illegal and subsequently directing the third respondent to register the first information report in accordance with law.

For Petitioner : Mr.M.Velmurugan
For R1 : Mr.K.Srinivasan
Special Public Prosecutor for CBI cases
For R2 & 5 : Mr.Joseph B. Dolia
assisted by
Mr.Sri Vijay for M/s.Aiyar & Dolia
For R3 : Mr.S.Udayakumar
Government Advocate (Crl.Side)
For R4 : Mr.K.R.Aswin Kumar

ORDER

The writ petition is filed for a mandamus to call for the records in connection with the impugned proceedings of the second respondent dated 22.03.2023 and quash the same as illegal, and subsequently direct the third respondent to register the First Information Report in accordance with law.

2. The essence of the allegations in the petitioner's complaint is contained in paragraph 5 of the affidavit and it is essential to extract the same:-



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5. I submit that after obtained loan from the 4th respondent

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Indian Bank, following date wise my elder brother Nallathambi made re-payment.

1	23.01.2014	Rs.50,000/-	A/C.No. 6136219866 & A/C.No. 6181354415
2	07.11.2020	Rs.25,000/-	A/C.No. 6136219866
3	27.11.2020	Rs.1,00,000/-	A/C.No. 6136219866
4	13.02.2021	Rs.10,000/-	To Prabu loan recovery officer
5	06.03.2021	Rs.40,000/-	To Prabu loan recovery officer
6	09.06.2021	Rs.15,000/-	To Prabu loan recovery officer account
Total Rs. 2,90,000/-			

3. It is the case of the complainant that even though these payments were made on the respective dates, the same were not accounted for and therefore, he seeks action against the bank officials by registering a First Information Report.

4. When the matter came up for hearing today, the learned Senior counsel appearing on behalf of the bank would submit that as far as the entry on 23.01.2014 is concerned, it is not a payment, but a withdrawal of Rs. 50,000/- from his account. As far as Entry No. 2 is concerned, even though the petitioner has produced a challan, it does not contain the proper square seal of



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the bank for cash remittance, which alone would evidence the remittance to the said account. As far as the third entry of Rs. 1,00,000/- is concerned, the same is duly accounted for in the account. As far as the fourth entry of Rs.10,000/- is concerned, it is stated that there is no proof. As far as the fifth and sixth entries are concerned, it is submitted on behalf of the bank that it can be seen that the complainant sent the amount by way of g-pay to the personal account of the said loan recovery agent, which is erroneous. The bank has already conducted an inquiry and it would be open for the petitioner to lodge a criminal complaint against the said Prabhu, the loan recovery agent, who after taking the amount, did not remit it into the appropriate account.

5. In view thereof, I am of the view that this case does not involve any vigilance angle or public officials such that the petitioner should invoke the Directorate of Vigilance and Anti-Corruption or the Central Bureau of Investigation. If the petitioner is aggrieved by the action of the said Prabhu, loan recovery officer, he can very well lodge a complaint before the jurisdictional police, as his action amounts to cheating. Even with reference to the one challan which is being disputed, the petitioner can make such allegations in the complaint, which can be inquired into by the jurisdictional police themselves.



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WEB COPY 6. In view thereof, keeping such liberty open to the petitioner to prefer an appropriate complaint to the jurisdictional police, this writ petition stands disposed of. Consequently, connected miscellaneous petition is closed. No costs.

04.07.2025

Neutral Citation: Yes/No
nsl

To

1. THE DEPUTY SUPERINTENDENT OF POLICE,
CENTRAL BUREAU OF INVESTIGATION (ACP),
3RD FLOOR, SHASTRI BHAVAN,
26, HADDOWS ROAD,
NUNGAMBAKKAM,
CHENNAI.
2. THE CHIEF VIGILANCE OFFICER,
HEAD QUARTERS OF INDIAN BANK,
ROYAPETTAH, CHENNAI.
3. THE DIRECTOR,
DIRECTORATE OF VIGILANCE AND
ANTI - CORRUPTION (DVAC),
NO.293, M.K.N. ROAD,
ALANDUR, CHENNAI.
4. THE PUBLIC PROSECUTOR,
HIGH COURT OF MADRAS.

D.BHARATHA CHAKRAVARTHY, J.



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W.M.P.Nos. 14357 & 22846 of 2025

WEB C **D.BHARATHA CHAKRAVARTHY.J.,**

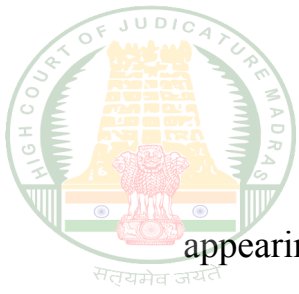
The matter is listed under the caption “for being mentioned”.

2. It is seen that, due to oversight, the order was not recorded in the application for including the Deputy Zonal manager, Vigilance-Zone Office, AVR, Tower (III Floor), No. 4, Bharathi Road, Cuddalore – 607 001, who is shown as the sixth respondent in W.M.P.No.22846 of 2025. On 04.07.2025, the learned counsel representing the sixth respondent was permitted to argue and their submissions were duly considered.

3. In view of the above, W.M.P.No. 22846 of 2025 shall be treated as *allowed*.

4. The Registry is directed to include the “***Deputy Zonal manager, Vigilance-Zone Office, AVR, Tower (III Floor), No. 4, Bharathi Road, Cuddalore – 607 001***” as sixth respondent in the cause title of the order dated 04.07.2025 in W.P.No.12811 of 2025 and to also include the said respondent in the “To” portion of the order.

5. It is also brought to the notice of this Court by the learned counsel



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appearing for the respondents 2 and 6 that there is a error in the appearance

portion. Hence the appearance portion shall be corrected and replaced as follows:-

“For Petitioner	: Mr.M.Velmurugan
For R1	: Mr.K.Srinivasan Special Public Prosecutor for CBI cases
For R2 & R6	: Mr.Jeyesh B. Dolia assisted by Mr.S. Sri Vijai for M/s.Aiyar & Dolia
For R3	: Mr.S.Udayakumar Government Advocate (Crl.Side)
For R4	: Mr.K.R.Aswin Kumar
For R5	: No appearance”

6. The Registry is directed to issue a fresh order copy by carrying out the aforesaid corrections.

10.07.2025

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D.BHARATHA CHAKRAVARTHY.J.,

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10.07.2025