



W.P.No.11882 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED 04.09.2025

CORAM

THE HONOURABLE Mr.JUSTICE **M.DHANDAPANI**

W.P.No.11882 of 2020 &
W.M.P.No. 14595 of 2020

Dr.C.Sivaprakasam

Petitioner

Versus

1. The General Manager
Banking Operations Department,
Indian Overseas Bank,
Central Office,
No.3765, 763, Anna Salai,
Chennai – 600 002
 2. The Assistant General Manager,
Indian Overseas Bank,
Mount Road Branch,
807, Anna Salai, Chennai – 600 002
 3. The Chief Executive,
Indian Bank's Association,
World Trade Centre, 6th Floor,
Centre I Building,
Cuff Parade, Mumbai – 400 005
 4. M/s Natarajan Associates,
D.No.81, Dr.Lakshmanasamy Salai,
K.K.Nagar, Chennai – 600 078
- [4th respondent given up vide order
dated 05.07.2021 made in W.P.No.11882 of 2020
By RMDJ]**

Respondents



W.P.No.11882 of 2020

Prayer: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus to call for the records of the 1st respondent in letter no.CO/BOD/43/2015-16 dated 03.03.2016 and quash the same as illegal and direct the 3rd respondent to remove the petitioner's name from the caution list.

For Petitioner : Mr.A.Saravanan

For Respondents : Mr.F.B.Benjmin for R1 and R2
R3- Not ready notice.

ORDER

This Writ Petition has been filed for issuance of a Writ of Certiorarified Mandamus to call for the records of the 1st respondent in letter no.CO/BOD/43/2015-16 dated 03.03.2016 and quash the same as illegal and direct the 3rd respondent to remove the petitioner's name from the caution list.

2. The case of the petitioner is that the petitioner is Doctorate of Philosophy in civil engineering and working as an engineer, property valuer and empaneled in various banks. The petitioner also worked with 4th respondent herein, who is also authorised property valuers in the panel of Indian Overseas Bank and the petitioner has never been as a partner or director of the 4th respondent herein. The petitioner had worked as a



W.P.No.11882 of 2020

valuer for a period of one year only and was relieved on 30.12.2012.

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While so, the 4th respondent submitted certain valuation report and thereafter, based on the report, the respondent-bank sanctioned loan. Further, it was found that the loan account was Non performing Asset and later, the bank came to the conclusion that there was conspiracy among the borrower, 4th respondent and others, thereafter, a complaint was lodged, however, petitioner's name does not find place. Thereafter, the respondent-bank issued show cause notice on 01.11.2013, though the petitioner submitted detailed explanation, it was not considered and impugned order is passed indicating that the petitioner is also involved in frauds, hence the present writ petition.

3. The learned counsel for the petitioner would submit that the respondent-Bank claim that the petitioner has not properly valued the property thereby committed fraud, hence the respondent-Bank issued a communication to the IBA for the alleged involvement of petitioner's fraud and to declare that the petitioner is fraud for the alleged improper value vide impugned communication dated 03.03.2016 and for revocation of the said communication dated 03.03.2016, the petitioner made a representation dated 05.09.2016, and a one line order was passed



W.P.No.11882 of 2020

on 28.09.2016 by the Bank, however no detail order was passed, further, it is a non-speaking order, thereby pleaded to pass detail order on the representation made by the petitioner.

4. Per contra, the learned counsel for the respondents-Bank would submit that a detailed order will be passed based on the petitioner's representation dated 05.09.2016. Therefore, this Court may issue a direction to the 1st respondent to pass a detailed order with regard to the petitioner's representation dated 05.09.2016 within a period, as specified by this court.

5. Considering the above said facts and circumstances of the case and taking note of the fact that one line order has been passed based on the representation of the petitioner and the submission of the learned counsel for the respondents that a detailed order will be passed, this Court is inclined to direct the 1st respondent to pass a detailed order on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order.

In view of the above, the present Writ Petition is disposed of.



W.P.No.11882 of 2020

Consequently, connected miscellaneous petition is closed. No costs.

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04.09.2025

Index: Yes/No;
Internet: Yes/No
Speaking /Non speaking Judgment
ssd

To

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M.DHANDAPANI, J.,

ssd



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W.P.No.11882 of 2020

W.P.No.11882 of 2020

04.09.2025