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WP No. 45543 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-11-2025

CORAM

THE HONOURABLE MR JUSTICE M.DHANDAPANI

WP No. 45543 of 2025

and

WMP.No.50726 of 2025

N.Raghuraman

Petitioner(s)

Vs

1. Unity Small Finance Bank,
Ground Floor, Thirumalai Towers,
No.723B, Avinashi Road,
Near Numeric Power Systems,
Race Course, Coimbatore-641 018.

2.Unity Small Finance Bank,
Rep. by its Branch Manager, 2nd Floor,
Centrum House, CST Road,
Vidyanangari Marg, Kalina,
Santa Cruz(E), Mumbai-400 098.

Respondent(s)

PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, seeking issuance of writ of mandamus, to direct the respondents to withdraw the complaint from Central Fraud Registry (CFR) as far as the petitioner is concerned as the said complaint was filed in violation to the RBI Master Directions dated 01.07.2016 (updated as on 03.07.2017) and dated 15.07.2024 without giving an opportunity and in violation to the principles of natural justice arbitrarily and without following the procedures established by law.

For Petitioner(s): Mr.G.Guruprasath



ORDER

This Writ Petition has been filed for a mandamus, to direct the respondents to withdraw the complaint from Central Fraud Registry (CFR) as far as the petitioner is concerned as the said complaint.

2. The learned counsel appearing for the petitioner would submit that the petitioner was empanelled valuer for the 1st respondent Bank vide service agreement dated 14.03.2023. The petitioner rendered his services to the respondent Bank and has submitted more than 90 valuation reports with utmost professionalism and expertise. While doing so, the 1st respondent vide mail dated 05.08.2023 requested the petitioner to provide a valuation report of the asset for one of their customer namely, M/s.Roger Cotyarn Corporation India Pvt. Ltd. Based on the same, the petitioner submitted a report on 09.08.2023. While so, after one year, the 1st respondent Bank vide mail dated 26.09.2024 sought for clarification with respect to the said valuation of the property of M/s.Roger Cotyarn Corporation India Pvt. Ltd. The petitioner made a reply dated 28.09.2023 explaining the same along with reasons.

3. All of sudden, on 25.06.2025, the petitioner received a letter communication from the City Union Bank, directing closure of the petitioner's accounts due to the complaint filed with Central Fraud Registry (CFR) by the respondents. Later, the petitioner found that the respondent has arbitrarily made



a complaint in the CFR without following the mandates of the RBI Circular dated 01.07.2016 & 15.07.2024, which is not acceptable one. Hence, the present writ petition for mandamus to withdraw the complaint in the CFR as it is in gross violation of the RBI Master circular.

4. The learned counsel for the petitioner would submit that this Court may issue direction to the respondent to withdraw the complaint from CFR within the specified time.

5. However, the issue arises in the writ petition is whether the writ petition is maintainable as against the private Bank as it is the contract between the petitioner and the private Bank and the petitioner is employed as a valuer and consultant and he is not a permanent employee of the respondent. Even assuming, he is an employee of the respondent, as a private valuer he has to avail his remedy before the appropriate authority, not before this Court under Article 226.

6. In *Federal Bank Ltd. Vs. Sagar Thomas and Others* reported in (2003) 10 SCC 733, the Apex Court has while dealt with the issue whether the writ petition is maintainable as against the private bank has negatived the same and it held as follows:



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“34. For the discussion held above, in our view, a private company carrying on banking business as a scheduled bank, cannot be termed as an institution or company carrying on any statutory or public duty. A private body or a person may be amenable to writ jurisdiction only where it may become necessary to compel such body or association to enforce any statutory obligations or such obligations of public nature casting positive obligation upon it. We don't find such conditions are fulfilled in respect of a private company carrying on a commercial activity of banking. Merely regulatory provisions to ensure such activity carried on by private bodies work within a discipline, do not confer any such status upon the company nor puts any such obligation upon it which may be enforced through issue of a writ under [Article 226](#) of the Constitution. Present is a case of disciplinary action being taken against its employee by the appellant Bank. Respondent's service with the bank stands terminated. The action of the Bank was challenged by the respondent by filing a writ petition under [Article 226](#) of the Constitution of India. The respondent is not trying to enforce any statutory duty on the part of the Bank. That being the position, the appeal deserves to be allowed.”



7. In view of the above decision of the Hon'ble Supreme Court, this Writ Petition is dismissed leaving it open to the petitioner workout his remedy before the appropriate forum. No costs. Consequently, connected miscellaneous petition is closed.

26-11-2025

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Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

To

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