



W.P(MD)No.6690 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.01.2026

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.6690 of 2025

B. Balasubramanian

... Petitioner

Vs

The Deputy Registrar / Administrator,
No.0726, the Prakasapuram Co-Operative Urban Bank Limited,
Prakasapuram,
Eral Taluk,
Tuticorin District.

...Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for records on the file of the respondent in his proceedings show cause notice cum final order dated 27.08.2024 quash the same and consequently repay the recovery amount of Rs.1,120/- to the petitioner.

For Petitioner : Mr.D. Selvanayagam,
For Respondent : Mr.M.E.Ilango



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ORDER

This petitioner is working as an Assistant Manager in the respondent Co-operative Urban Bank. He was issued with a show cause notice on 27.08.2024 that he has caused a loss of Rs.1120/- to the respondent Bank and why not it be recovered from the petitioner. Aggrieved by that, this petitioner has filed this writ petition.

2.The learned counsel appearing for the petitioner submits that the show cause notice is in the form of pre-determination. In order to substantiate his contention, the learned counsel appearing has relied on the Judgment of the Honourable Supreme Court, in *Siemens Ltd., Vs. State of Maharashtra and others*, reported in (2006) 12 Supreme Court Cases 33.

3. The learned counsel appearing for the respondent submits that pursuant to the show cause notice, dated 27.08.2024,



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this petitioner has submitted a representation on 30.08.2024, seeking two weeks time to submit his explanation. As such, time was granted. He has sought for further extension of time on 06.09.2024 and finally he has submitted his explanation on 29.12.2024. Considering his reply, the respondent Bank has passed an order on 30.09.2024 that the charges levelled as against the petitioner were proved and has also directed to recover a sum of Rs.1,120/- from the petitioner's bank account. According to the learned counsel a final order has also been passed by the respondent bank on 09.05.2025 and the same was communicated to this petitioner.

4.This Court considered the rival submissions made and also perused the materials placed on record.

5.This writ petition is filed challenging the show cause notice. The Hon'ble Supreme Court in *Union of India Vs Kunisetty Satyanarayana*, reported in *2006 SCC Vol.II, 28*, has held that the charge memo or show cause notice shall not be interfered with by



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the orders of the Courts except lack of jurisdiction of the authority or if any malafides are attributed. In this case, it is reported that a final order has already been passed on 09.05.2025.

6.In view of the above, this Court is not inclined to entertain this writ petition. Accordingly, this writ petition is closed with liberty to this petitioner to challenge the final order dated 09.05.2025 in the manner known to law. The grounds raised by this petitioner in this writ petition shall also be taken as grounds in the subsequent writ petition. No costs.

05.01.2026

NCC: Yes/No
Index:Yes/No
Internet:Yes
vrn



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The Deputy Registrar / Administrator,
No.0726, the Prakasapuram Co-Operative Urban Bank Limited,
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B.PUGALENDHI, J.

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Order made in
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