

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION NO.13193 OF 2011

DATED 3rd JUNE, 2015

Between:

Allampalli Ranga Upendranath .. Petitioner

and

The Reserve Bank of India and others .. Respondents

THE HON'BLE SRI JUSTICE SANJAY KUMAR

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WRIT PETITION NO.13193 OF 2011

ORDER

The prayer in this writ petition is directed against Sriram Transport Finance Company Limited, Anakapalli, Visakhapatnam District, the third respondent, and reads as under:

‘For the reasons stated in the accompanying affidavit, In these

circumstances it is prayed that this Hon'ble Court may be pleased to issue an order or direction more particularly one in the nature of Writ of mandamus declaring the illegal action of the 3rd respondent in deputing collection agents, who are interfering with the petitioner's personal life by visiting petitioner residence as well as business premises at odd hours, for recovery of loan amount, contrary to the circular/guidelines issued by the Reserve Bank of India from time., as illegal, null and void and against the principles of natural justice and in violation of fundamental rights and consequently direct the 3rd respondent not to interfere with the personal life of the petitioner with a further direction to 3rd respondent to follow due process of law for recovery of the loan., and to pass such other order or orders as this Hon'ble Court may deem fit and proper in the interest of justice.'

A writ petition would not lie against a private company which does not fall within the definition of 'State' in terms of Article 12 of the Constitution. The writ petition is accordingly dismissed as not maintainable. Interim order dated 29.04.2011 shall stand vacated. Pending miscellaneous petitions shall also stand dismissed. No order to costs.

SANJAY KUMAR, J

3rd JUNE, 2015

PGS