



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.06.2017

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

AND

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P.[MD].No.11125 of 2017

K.Yogaraja : Petitioner

Vs.

1.The Regional Director,
Reserve Bank of India,
Chennai.

2.The Branch Manager,
ICICI Bank Ltd, TRR Towers B-12,
Colony Main Road, Thillai Nagar,
Trichirappalli 18.

3.The Regional Manager,
ICICI Bank Ltd., Regional Office,
Chennai

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the second respondent to consider the representation of the petitioner dated 27.02.2017 to enable the petitioner to prepay the loan as per the covenant in the loan agreement with the second respondent.

For Petitioner : Mr.V.Singan

For Respondents 2&3 : Mr.Alaguram Jothi
Standing Counsel

O R D E R

[Order of the Court was made by **T.S.SIVAGNANAM, J.**]

Heard Mr.V.Singan, learned counsel for the petitioner and Mr.Alaguram Jothi, learned Standing Counsel, who appears and accepts notice for the respondents 2 and 3. Notice to the first respondent is dispensed with.

2. The petitioner, who has availed housing loan from the second respondent bank, is before this Court, seeking a direction to the second respondent to consider the representation of the petitioner dated 27.02.2017, to enable him to repay the loan amount.



3. Admittedly, the second respondent is a private bank and merely because the Reserve Bank of India has been impleaded as a party respondent in this Writ Petition, we cannot entertain the Writ Petition. This would be sufficient to dismiss the Writ Petition. However, we take note of the submission made by the learned Standing Counsel for the respondent bank that already the representation of the petitioner has been considered and it is being processed by the recovery department of the respondent bank at Trichirappalli and the petitioner had already met the officials of the recovery department of the respondent bank. Therefore, while holding that the Writ Petition is not maintainable, we direct the second respondent to consider the request made by the petitioner in accordance with their guidelines and pass appropriate orders.

4. The Writ Petition is dismissed with the above observation.
No costs.

sd/-
Assistant Registrar(A.S)

/True copy/

Sub Assistant Registrar

To

The Regional Director,
Reserve Bank of India,
Chennai.

W.P.[MD].No.11125 of 2017
15.06.2017

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KK/SV MMS/SAR2-15.06.2017-2P-2C