



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.02.2018

CORAM:

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THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

W.P. (MD) No.969 of 2018

and

W.M.P. (MD) No.1002 of 2018

Niraipandian

... Petitioner

Vs.

1. The Regional Director,
Reserve Bank of India,
Rajaji Road, Chennai-1.

2. The District Collector,
Virudhunagar District,
Virudhunagar.

3. The Sriram Transport Financial Corporation,
Represented by its Authorised Signatory,
30-B, Muslim Middle Street,
Sivakasi,
Virudhunagar District-626 123.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the first and second respondents to take necessary action against the third respondent for collection of exorbitant interest from the petitioner in violation of guidelines issued by the first respondent.

For Petitioner	: Mr.SP.Vijay Nivas
For R1	: No Appearance
For R2	: Mr.M.Rajarajan, Government Advocate.
For R3	: Mr.Ananth C.Rajesh

ORDER

This writ petition has been filed seeking a direction to the respondents 1 and 2 to take necessary action against the third respondent for collection of exorbitant interest from the petitioner in violation of guidelines issued by the first respondent.



2. Accordingly, the petitioner purchased a vehicle with financial assistance from the third respondent. Subsequently, the third respondent has seized the vehicle, for non-payment of dues. In the above circumstances, the petitioner has filed this present writ petition.

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3. Admittedly, the petitioner has hypothecated the vehicle and he has committed some default. Therefore, the vehicle has been seized by the third respondent. The petitioner is also disputing the quantum of dues.

4. In the above circumstances, it is only a civil dispute between the petitioner and the third respondent for which the petitioner cannot invoke the jurisdiction under Article 226 of the Constitution of India. Apart from that the third respondent is the private finance company and the petitioner also cannot maintain the writ petition against the third respondent.

5. Accordingly, this writ petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

To

The District Collector,
Virudhunagar District,
Virudhunagar.

+ 1 CC TO Mr. ANANTH C. RAJESH, ADVOCATE IN SR No. 48869
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 48922
+ 1 CC TO Mr. SP. VIJAY NIVAS, ADVOCATE IN SR No. 48978

MYR

TE/SV-MMS/SAR-2 : 28/02/2018 : 2P/5C

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W.M.P. (MD)No.1002 of 2018
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