



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.11.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.1932 of 2021

J.Sathiyaraj

... Petitioner

Vs.

1.Union of India,
Rep., by General Manager,
Reserve Bank of India,
Fort Glacis,
Kamarajar Salai, Chennai - 600 001.

2.The Banking Ombudsman
C/o.Reserve Bank of India,
Fort Glacis,
Kamarajar Salai, Chennai - 600 001.

3.The Nodal Officer,
Axis Bank Limited,
Chennai Circle Office,
2nd Floor, No.3, Club House Road,
Chennai - 600 002.

4.The Manager,
Axis Bank Limited,
Avadi Branch,
No.199, Poovai Road,
Thiruvallur,
Chennai - 600 054.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 2nd and 3rd respondents to take action against fourth respondent to follow the due process of law, regarding collection of loan amount, as guided by Reserve Bank of India forthwith petitioner complaint dated 13.01.2021.

For Petitioner

: Mr.M.Govindarajan



O R D E R

The petitioner has filed this writ petition seeking issuance of Writ of Mandamus directing the respondents 2 and 3 to take action against the fourth respondent to follow the due process of law, regarding collection of loan amount, as guided by Reserve Bank of India forthwith petitioner complaint dated 13.01.2021.

2.The learned counsel appearing for the petitioner would submit that the petitioner obtained loan of a sum of Rs.10,00,000/- from the fourth respondent during April, 2019 vide loan agreement No.BPR008204662430 and has repaid a sum of Rs.2,89,216/- and due to the pandemic situation, the petitioner was not able to pay the monthly installment, however, to his shock and surprise the recovery team of the fourth respondent is threatening the petitioner to pay the abnormal arrears of Rs.11,56,864/-. Hence the petitioner made complaint/ representation dated 13.01.2021 to respondent 2 and 3, however, they have not taken any action. Hence, the petitioner has filed this writ petition.

3.The learned counsel appearing for the petitioner would further submit that without going into the merits of the case, it would suffice if this Court issues a direction to the respondents 2 and 3 to consider the petitioner's complaint/ representation dated 13.01.2021 and to pass appropriate orders, within the reasonable time fixed by this Court.

4.Considering the limited request made by the learned counsel appearing for the petitioner, this Court, without expressing any opinion on the merits of the case, directs the respondents 2 and 3 to consider the petitioner's complaint/ representation dated 13.01.2021, on merits and in accordance with law and to pass appropriate orders, within a period of eight weeks from the date of receipt of a copy of this order.

5.The writ petition is accordingly disposed of. No costs.

SD/-

ASSISTANT REGISTRAR

// TRUE COPY //

SUB ASSISTANT REGISTRAR



WEB COPY

- 1.The General Manager,
Union of India,
Reserve Bank of India,
Fort Glacis,
Kamarajar Salai,
Chennai - 600 001.
- 2.The Banking Ombudsman
C/o.Reserve Bank of India,
Fort Glacis,
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