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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.08.2021

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THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P. NO. 20110 OF 2020

AND

WMP NOS.15717 & 15719 OF 2021

M.S.Subburaman

Proprietor of Hotel Sri Saravana Bhavan
and Hotel Shri Sangeethas
No.153/4A2, Moongil Palayam,
Vijayamangalam, Erode 638 056.

.. Petitioner

Versus

1. The Governor,
Reserve Bank of India,
Central Office Building,
18th Floor, Shahid Bhagat Singh Road,
Mumbai 400 001.
2. The Deputy Governor,
Reserve Bank of India,
Appellate Authority,
Ombudsman Scheme,
Central Office Building,
18th Floor, Shahid Bhagat Singh Road,
Mumbai 400 001.
3. The Chief General Manager &
The Chief Vigilance Officer,
Central Vigilance Cell,
Reserve Bank of India,
Central Office Building, 20th Floor,
Shahid Bhagat Singh Road,
Mumbai 400 001.



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4. The Chief General Manager,
Consumer Education and Protection
Department, Reserve Bank of India,
1st Floor, Amar Building,
Sir P.M. Road,
Mumbai 400 001.
5. The Reserve Bank of India,
represented by the Banking Ombudsman,
Fort Glacis, No.16,
Rajaji Salai, Chennai 600 001.
6. The Department of Financial Services,
Ministry of Finance,
3rd Floor Jeevan Deep Building,
Sansad Marg, New Delhi 110 001.
7. The Branch Manager,
The Tamilnad Mercantile Bank Pvt. Ltd.,
Perumanallur Branch,
Kovai Main Road,
Perumanallur, Tiruppur District 641 666.

.. Respondents

Writ Petition under Article 226 of the Constitution of India praying for a Writ of Mandamus directing the respondents to consider the petitioner's representation dated 01.12.2020 and received by them on various dates within a time stipulated by this Court.

For Petitioner : Mr.Hariharan
for M/s.K.V.Law Firm

For Respondents : Mr.C.Mohan for
M/s.King & Patridge for R1 to R5
Mr.V.Chandraekaran for R7
Mr.K.Subbu Ranga Bharathi,
Central Govt. Standing counsel for R6



ORDER

The relief sought for in this Writ Petition is to direct the respondents to consider the petitioner's representation dated 01.12.2020 within a time frame fixed by this Court.

2. According to the petitioner, he submitted a representation dated 01.12.2020 before the respondents, against the Tamilnadu Mercantile Bank Private Limited, Peramanallur Branch, Tiruppur District, regarding falsification of accounts, converting Loan against Property (LAP) loan into business loan by fabricating documents, charging excess interest, demanding two MODT (Memorandum for Deposit of Title deed) for already secured loans, classifying petitioner's LAP loan as Housing Loan, illegal custody of car spare key even after completion of car loan, fraud done with insurance payment, etc. and requesting to take appropriate action.

3. Upon notice, the learned counsel appearing for the respondents 1 to 5 produced a copy of the communication dated 20.01.2021 sent by the Banking Ombudsman, Reserve Bank of India, to the petitioner, wherein, it is stated that the complaint of the petitioner was closed under Clause 13(2) of the Banking Ombudsman Scheme 2006 (Scheme) and hence, nothing survives for adjudication.

4. Conceding the aforesaid submission, the learned counsel for the petitioner submitted that the petitioner may be granted liberty to challenge the same in the manner known to law.

5. Recording the submissions so made by the learned counsel on either side, this Writ Petition stands disposed of, granting such liberty to the petitioner. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(L.A)

// True Copy //

Sub Assistant Registrar

msr



To

1. The Governor, Reserve Bank of India,
Central Office Building,
18th Floor, Shahid Bhagat Singh Road,
Mumbai 400 001.
2. The Deputy Governor,
Reserve Bank of India, Appellate Authority,
Ombudsman Scheme,
Central Office Building,
18th Floor, Shahid Bhagat Singh Road,
Mumbai 400 001.
3. The Chief General Manager &
The Chief Vigilance Officer,
Central Vigilance Cell, Reserve Bank of India,
Central Office Building, 20th Floor,
Shahid Bhagat Singh Road, Mumbai 400 001.
4. The Chief General Manager,
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Department, Reserve Bank of India,
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7. The Branch Manager,
The Tamilnad Mercantile Bank Pvt. Ltd.,
Perumanallur Branch,
Kovai Main Road,
Perumanallur, Tiruppur District 641 666.

+1cc to M/s.King & Patridge, Advocate, S.R.No.41651

+1cc to M/s.K.V.Law Firm, Advocate, S.R.No.41719

W.P. No. 20110 of 2020

and

WMP Nos.15717 & 15719 of 2021

LN(CO)

RLP(05/10/2021)