



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.11.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.24228 of 2021

S.Vijayakumar

... Petitioner

Vs.

1.The Honourable Ombudsman  
C/o.Reserve Bank of India,  
Fort Glacis,  
Chennai - 600 001.

2.The Manager,  
RBL Bank Limited,  
Ground Floor,  
Nibav Building,  
No.11, LB Road, Adyar,  
Chennai - 600 020.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the first respondent to take action against second respondent to follow the due process of law, regarding collection of loan amount, as guided by Reserve Bank of India forthwith petitioner complaint dated 01.10.2021.

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 first respondent to take action against the second respondent to follow the due process of law, regarding collection of loan amount, as guided by Reserve Bank of India forthwith petitioner complaint dated 01.10.2021.



2.The learned counsel appearing for the petitioner would submit that the petitioner obtained loan of a sum of Rs.2,48,000/- from the second respondent during June, 2019 vide loan agreement No.0007477770000473717 and has repaid a sum of Rs.1,72,956/- 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 second respondent is threatening the petitioner to pay the abnormal arrears of Rs.84,465/-. Hence the petitioner made complaint/ representation dated 01.10.2021 to the first respondent, however, the first respondent has 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 first respondent to consider the petitioner's complaint/ representation dated 01.10.2021 and to pass appropriate orders, as per the RBI guidelines, within the reasonable time fixed by this Court.

4.Since this Court is not inclined to issue any positive direction in this order, notice to the respondents is dispensed with.

5.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 first respondent to consider the petitioner's complaint/ representation dated 01.10.2021, on merits and in accordance with law and to pass appropriate orders, as per the Banking Regulations and RBI guidelines, within a period of eight weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar(CS-IV)

// True Copy //

Sub Assistant Registrar

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To

1.The Honourable Ombudsman  
C/o.Reserve Bank of India,  
Fort Glacis, Chennai - 600 001.

2.The Manager,  
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SPD(CO)  
CB(13/12/2021)