



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.11.2021

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P(MD)No.20699 of 2021

WEB COPY

S.Manimozhi Gideon

... Petitioner

Vs.

1.The Governor

Reserve Bank of India,
Mumbai Regional Office,
Shahid Bhagat Sing Road,
Kala Ghoda Fort,
Mumbai - 400 001.

2.The Regional Director

Reserve Bank of India,
Fort Glacis No.16
Rajaji Road,
Fort St. George,
Chennai - 600 001.

3.The Government of India

Through the Secretary to Government
Ministry of Finance,
3rd Floor, Jeevandeep Building,
Sansad Marg,
New Delhi - 110 001.

4.The Government of Tamil Nadu

Through the Secretary to Government
Ministry of Finance,
Secretariat,
St. Fort George,
Chennai - 600 009.

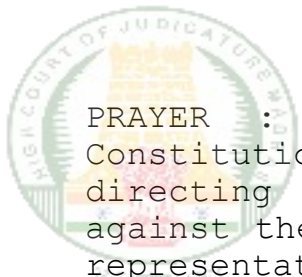
5.The Managing Director

Five Star Business Finance Ltd.,
Registered Office,
New No.27, Old No.4, Taylor's Road
Kilpauk,
Chennai - 600 010.

6.The Manager

Five Star Business Finance Ltd.,
Old Bus Stand Road,
Near Courtallam Road,
Tenkasi.

... Respondents



PRAYER : Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 1 to 4 respondents to take appropriate legal action against the 5th and 6th Respondents by considering the petitioner's representation dated 21.08.2021.

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For Petitioner : Mr.R.Aravind Raj

For Respondents No.4 : Mr.D.Ghandiraj
Special Government Pleader

O R D E R

By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

2.Primarily, the petitioner's brother had borrowed loan from the respondents 5 and 6. The brother had died. Then the only individual, who can seek any relief with respect to the loan or seek details with respect to the loan are the legal heirs of the deceased brother, namely, his widow and other children.

3.The petitioner as a brother is only a class-II legal heir and there is no obligation on respondents 5 and 6 to even to respond any of the representations made by the petitioner. The petitioner has also not given any representation to the respondents 5 and 6. On the other hand, he had given a representation to a string of Government officials, 18 in number, but not to the two respondent Nos. 5 and 6.

4.Let the legal representatives approaches the respondents 5 and 6, seek details of the loan, seek details of nature of sanction of the loan, the terms of sanction of the loan, the terms of interest which can be levied, and if there is no response then, the said legal heirs may take appropriate action. The petitioner as a brother cannot override the rights of the widow and daughter of a deceased person.

5.Observing as above, no effective orders can be passed in the Writ Petition and the same is disposed of. No costs.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

rm

<https://hcservices.ecourts.gov.in/hcservices/>



Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the Advocate / litigant concerned.

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To

1.The Secretary to Government,
Government of Tamil Nadu
Ministry of Finance,
Secretariat,
St. Fort George,
Chennai - 600 009.

+1 CC to M/s.SPL GP (SR-35340[F] dated 22/11/2021)

W.P(MD)No.20699 of 2021
19.11.2021

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