



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 04.01.2022

CORAM

THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

W.P.No.26012 of 2017

B.Gopinath

... Petitioner

Vs.

1.Union of India,
Rep.by the Banking Ombudsman,
Reserve Bank of India
Fort Glacis, Chennai - 600 001.

2.The Manager (Operations),
ICICI Bank Limited,
ICICI Bank Tower, C-Wing,
Autumn Estate, near Chandivali Studio,
Chandivali Farm Road,
Opp. Mahada Colony, Chandivali,
Andheri (East), Mumbai - 400 072.

... Respondents

PRAYER : Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the first respondent herein to take appropriate action against the 2nd respondent for their unruly behavior against the petitioner in respect of the Credit Card No.4375 5100 9381 2003 pursuant to the representation of the petitioner dated 28.07.2017.

For Petitioner : Mr.Bharath Kumar
for M/s.A.Damodaran

For R1 : No appearance

For R2 : Service awaited

O R D E R

This Writ Petition has been filed to issue a Writ of Mandamus, directing the first respondent herein to take appropriate action against the 2nd respondent for their unruly behavior against the petitioner in respect of the Credit Card No.4375 5100 9381 2003 pursuant to the representation of the petitioner dated 28.07.2017.



2. The case of the petitioner is that on 12.07.2016, he swiped his credit card at Royal Departmental Store for a sum of Rs.25,000/- and the same was declined. Thereafter, he received the credit card statement in the month of October 2016 stating that a sum of Rs.25,001.88 is due towards the said credit card. On 29.12.2016, he made a complaint to the 2nd respondent about the same and inspite of the same, the 2nd respondent was sending the credit card statement till 04.07.2017 stating that a sum of Rs.31,910.23 is due. When the petitioner's salary was credited in the month of July 2017, it was withhold by the said Branch and it was communicated to the petitioner by letter dated 19.07.2017 that a sum of Rs.32,910.23/- was kept in lien account, which is arbitrary and the respondent has no right to do the same. Even after the same, the 2nd respondent's agent by name Vadivel called the petitioner and abused him in unparliamentary words and also threatened his mother with dire consequences. Therefore, the petitioner made a representation to the 1st respondent on 28.07.2017 requesting them to take appropriate action against the 2nd respondent but till date, his representation was not disposed of. Aggrieved over the same, the petitioner is before this Court.

3. Heard the learned counsel for the petitioner and also perused the materials available on record.

4. On perusal, it appears that the 2nd respondent and his agents abused the petitioner with their unruly behaviour and his representation dated 28.07.2017, was not disposed till date by the 1st respondent. Therefore, this Court, directs the first respondent to dispose of the representation of the petitioner dated 28.07.2017, on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

5. With the above direction, the writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar(CS-IX)

//True Copy//

Sub Assistant Registrar

Pns



To

1.The Banking Ombudsman,
Union of India,
Reserve Bank of India
Fort Glacis, Chennai - 600 001.

2.The Manager (Operations),
ICICI Bank Limited,
ICICI Bank Tower, C-Wing,
Autumn Estate, near Chandivali Studio,
Chandivali Farm Road,
Opp. Mahada Colony, Chandivali,
Andheri (East), Mumbai -400 072.

+1cc to Mr.A.Damodaran, Advocate, S.R.No.294

W.P.No.26012 of 2017

PA(CO)
CB(04/02/2022)