



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.06.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD)No.10835 of 2022

WEB COPY

L.Aruljyothi

... Petitioner

Vs

1.The Regional Director,
Reserve Bank of India,
Fork glasis, Fort. St.George,
Chennai-1.

2.The Branch Manager,
EQUITAS Small Finance Bank Limited,
Aduthurai,
Narasimhampettai,
Thiruvadaimaruthur,
Thanjavur District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the first respondent to take necessary action against the second respondent within the time stipulated, based on the representation, dated 19.04.2022 by this Court.

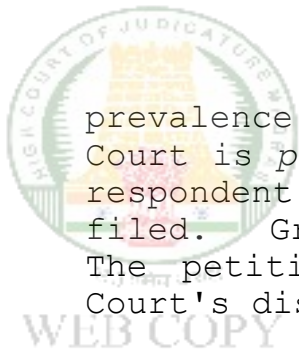
For Petitioner : Mr.V.Selvakumar

ORDER

Heard the learned counsel appearing for the petitioner.

2. The petitioner had borrowed a sum of Rs.4,49,924/- (Rupees Four Lakhs Forty Nine Thousand Nine Hundred and Twenty Four only) from the second respondent. The case of the petitioner is that at the time of disbursing the loan, it was stated that interest will charged only at the rate of 18% per annum. But they subsequently came to know that the second respondent has charged the interest at the rate of 24% per annum. The petitioner has lodged a complaint before the first respondent. The petitioner wants the first respondent to take action against the second respondent for exorbitant and illegal charging of interest. Seeking this relief, the writ petition has been filed.

3. The petitioner is admittedly a borrower. Even according to him, he has so far paid only nine installments. A substantial amount still remains to be paid. The petitioner is citing the



prevalence of the pandemic for the default committed by him. This Court is *prima facie*, of the view that in order to force the second respondent to come to a settlement, this writ petition has been filed. Grant of relief in writ jurisdiction is a discretionary. The petitioner has not made out a case for invocation of this Court's discretion.

4. The writ petition stands dismissed, accordingly. No costs.

Sd/-

Assistant Registrar (CS-I)

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Sub Assistant Registrar(CS)

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To

- 1.The Regional director,
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Fork glasis, Fort. St.George,
Chennai-1.
- 2.The Branch Manager,
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