



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.01.2022

CORAM:

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

W.P. (MD)No.16324 of 2019
(Through video Conference)

Geetha

.. Petitioner

Vs.

1.The Commissioner of Police,
Madurai City,
Madurai.

2.The Inspector of Police,
Thideer Nagar Police Station,
Madurai City.

3.Arjune

4.Balu Chettiar

5.Vennila

6.Swathi

7.Kaleeswari

8.Sudha

9.Anusha

10.Jeyalakshmi

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a writ of mandamus, to direct the second respondent herein to take appropriate action as against the respondents 3 to 10 as per Exorbitant Interest Act, based on the petitioner's representation in the form of complaint, dated 03.08.2018 made to the second respondent herein.

For Petitioner : Mr.M.Ganeshkamu

For R1 & R2 : Mr.A.Thiruvadi Kumar

Additional Public Prosecutor

O R D E R

The perusal of the affidavit filed in support of the writ petition clearly indicates that there is a money transaction between the petitioner and the respondents 3 to 10. When they have taken out the money back, the petitioner has filed this writ petition alleging that the respondents 3 to 10 are demanding exorbitant interest inspite of repaying the loan amount.



2. Moreover, when she admits borrowal of money, particulars like how much she paid towards interest and how much she paid towards principal, when the demand of exorbitant interest made and at what rate the interest claimed are the foundational facts to take cognizance, but not available in the representation or in the affidavit.

3. The learned Additional Public Prosecutor would submit that on the representation given by the petitioner herein, enquiry was conducted and the same was closed as the petitioner has requested the police not to take further action on her complaint.

4. This Court, for the reasons stated above, dismiss this writ petition. No Costs.

Sd/-

Assistant Registrar (AD II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

PJL

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.

To

1. The Commissioner of Police,
Madurai City,
Madurai.

2. The Inspector of Police,
Thideer Nagar Police Station,
Madurai City.

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

W.P. (MD) No.16324 of 2019

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MGJ(11.02.2022) 2P 4C

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