



W.P(MD)No.16585 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.07.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.16585 of 2022

Vanitha

... Petitioner

Vs.

1.The General Manager,
Department of Supervision (NBFCs),
Chennai Regional Office,
Fort Glacis, Rajaji Salai,
Chennai – 600 001.

2.The Manager,
INDUSIND Bank Lit,
Near AVM Bajaj Bus Company,
Alangudi Road,
Pudukkottai.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the 1st respondent to issue suitable direction to the 2nd respondent in terms of recovery pursuant to vehicle loan for Bharat Benze Goods Carrier was purchased and its registration number is TN 55 BT 4213.

For Petitioner : Mr.K.Baalasundaram



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ORDER

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Heard the learned counsel for the writ petitioner.

2.The petitioner's husband had availed vehicle loan from the second respondent bank. Unfortunately, he has passed away. The petitioner states that she is ready to clear the arrears and retain the vehicle. Her contention is that the second respondent is not adhering to the fair practice code. The petitioner may have case on merits. But INDUSIND bank is not a nationalized bank. Therefore, as held by the Hon'ble Supreme Court in the decision reported in **(2003) 10 SCC 733 (Federal Bank Ltd., v. Sagar Thomas)**, a writ petition against a scheduled bank is not maintainable.

3.Leaving open the petitioner's other rights and remedies, the writ petition is dismissed. No costs.

28.07.2022

Index : Yes / No
Internet : Yes/ No
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G.R.SWAMINATHAN, J.

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