



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.01.2022

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

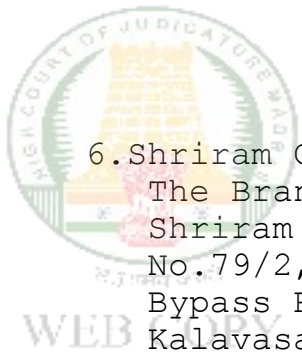
W.P(MD).No.17995 of 2021

S.Balamurugan

... Petitioner

Vs.

- 1.Union of India, represented by,
The Secretary,
Ministry of Finance,
Government of India,
Department of Financial Services,
Room No.136 A, North Block,
New Delhi-110 001.
- 2.State of Tamilnadu, represented by,
The Principal Secretary,
Department of Finance,
Government of Tamilnadu,
Fort St.George, Secretariat,
Chennai-600 009.
- 3.Reserve Bank of India, represented by,
The Managing Director,
Reserve Bank of India,
P.O.Box 901, Shahid Bhagat Singh Road,
Mumbai-400 001.
- 4.Shriram City Union Finance Limited, represented by,
The Managing Director,
Shriram City Union Finance Limited,
Business Solution Centre,
144, Santhome High Road, Mylapore,
Chennai-600 004.
- 5.Shriram City Union Finance Limited, represented by,
The Branch Manager,
Shriram City Union Finance Limited,
18, Usilampatti Road,
Thirumangalam Branch,
Madurai-625 706.



6. Shriram City Union Finance Limited, represented by,
The Branch Manager,
Shriram City Union Finance Limited,
No.79/2, 2nd Floor, Raja Barley Building,
Bypass Road,
Kalavasal Branch,
Madurai-625 010.

7. Shriram City Union Finance Limited, represented by,
The Branch Manager,
Shriram City Union Finance Limited,
No.1, Lake area, Vijayakrishna Plaza 1st floor,
KVB Upstairs,
Mattuthavani Branch,
Madurai-625 107.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the first to third respondents to take appropriate action against the fourth to sixth respondents for levying the exorbitant interest on petitioner loan amount vide agreement No.MADURTF1805310001, dated 31.05.2018 and for repeatedly trespassed into the petitioner's house along with musclemen with the intention to harass the petitioner's Mother and Wife, on the basis of the petitioner's representation, dated 25.09.2021 in accordance with law within the time stipulated by this Court.

For Petitioner	: Mr.R.Alagumani
For R1	: M/s.V.B.Sundhareswari
For R2	: Mr.N.Satheesh Kumar
	Additional Government Pleader
For R3	: No Appearance

ORDER

The writ petition has been filed in the nature of Mandamus seeking direction against the respondents 1 to 3 to take action against the fourth to sixth respondents for levying exorbitant interest on the loan obtained by the petitioner dated 31.05.2018.

2. When the petitioner obtained loan from the fifth to seventh respondents namely, Shriram City Union Finance Limited, the same was covered by an agreement. Both the petitioner and the said respondents have signed the agreement. The petitioner had not, when the loan was sanctioned, raised objections. If it is considered that interest is sought in violation of the agreement entered into between the parties, then, necessary proceedings have to be initiated questioning such violation and terms of the agreement.



3. The Writ Court under Article 226, cannot act as an arbiter to examine the particular agreement entered voluntarily by the petitioner.

4. The copy of the agreement is also not filed with the writ petition. The writ petition is not maintainable. The Writ Petition is dismissed. No costs.

Sd/-

Assistant Registrar(AE)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

sn

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 Secretary, Union of India,
Ministry of Finance, Government of India,
Department of Financial Services,
Room No.136 A, North Block, New Delhi-110 001.
- 2.The Principal Secretary,
State of Tamilnadu, Department of Finance,
Government of Tamilnadu,
Fort St.George, Secretariat, Chennai-600 009.
- 3.The Managing Director,
Reserve Bank of India,
P.O.Box 901, Shahid Bhagat Singh Road, Mumbai-400 001.

+1 CC to M/s.SPL.GP (SR-2780[F] dated 28/01/2022)

W.P(MD) .No.17995 of 2021
27.01.2022

KM(CO)
TR(08.02.2022) 3P 5C