



W.P.(MD) No.3264 of 2020

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.04.2023

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD) No.3264 of 2020

M.Vivek

.. Petitioner

Vs.

1.The Reserve Bank of India (RBI),
6, Sansad Marg Area,
New Delhi-110 001.

2.The Secretary,
Union of India,
Ministry of Communication and
Information Technology,
Sankar Bhawan,
No.20, Asoha Road,
New Delhi-110 001.

3.The Secretary,
Ministry of Telecom and
Information Technology,
Government of Tamil Nadu,
Secretariat, Fort St. George,
Chennai-600 009.

4.The District Collector,
Thanjavur District,
Thanjavur District.



W.P.(MD) No.3264 of 2020

5.The Superintendent of Police,
Thanjavur District, Thanjavur.

6.The Sub Inspector of Police,
Thiruvaiyaru Police Station,
Thiruvaiyaru Taluk,
Thanjavur District.

7.The Telecom Regulatory Authority
of India (TRAI),
Mahanagar Door Sanchar Bhawan,
Jawaharlal Nehru Marge (Old Minto Road),
New Delhi-110 002.

8.A.Rajeev Kumar Agarwal,
Owner and Business Head,
CASHBEAN mobile app (namely registered
PC financial services p. Ltd.),
32-B, Pocket 'A' Sukhdev Vihar,
New Delhi-110 025.

.. Respondents

Prayer :- Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus directing respondents 1 to 7 to take appropriate actions against the 8th respondent and his mother institution and his men and ban the CASHBEAN mobile app which was stealing the borrower's personal data, blackmail and digital kanthuvati platform and take necessary action by considering the petitioner's representations dated 08.01.2020 and 15.01.2020 within a time frame to be stipulated by this Court and pass an order directing to the 8th respondent to pay the petitioner, compensation of mental sufferings a sum of Rs.10,00,000/- (Rupees Ten Lakhs).



W.P.(MD) No.3264 of 2020

WEB COPY

For Petitioner : Mr.M.Vivek
(Party-in-person)

For RR1 & 2 : Mr.P.Paul Pandi
Senior Panel Counsel

For RR3 to 6 : Mr.T.Amjadkhan
Government Advocate

For R7 : Mr.S.Jeyasingh
Senior Panel Counsel

ORDER

This writ petition is filed for issue of a Writ of Mandamus directing respondents 1 to 7 to take appropriate action against the 8th respondent and ban the CASHBEAN app, take necessary action by considering the petitioner's representations dated 08.01.2020 and 15.01.2020 and further, direct the 8th respondent to pay the petitioner a sum of Rs.10,00,000/- (Rupees Ten Lakhs) towards compensation for the mental sufferings.

2. Today, when the matter is taken up for hearing, the learned Government Advocate informed the Court that the petitioner has lodged



W.P.(MD) No.3264 of 2020

WEB COPY

a complaint which has now been registered and is pending investigation on the file of the Thiruvaiyaru Police Station, Thanjavur.

3. Considering the nature of the complaint which could involve other innocent parties as well, a direction is issued to respondent Nos. 5 and 6 to complete the investigation as expeditiously as possible preferably within a period of three months from the date of receipt of a copy of this order.

4. With the above direction, this Writ Petition is disposed of. No costs.

10.04.2023

NCC : Yes/No
Index : Yes/No
Internet : Yes

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W.P.(MD) No.3264 of 2020

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P.T.ASHA, J.

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