



W.P(MD)No.5628 of 2015

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 07.07.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.5628 of 2015

and

M.P.(MD)No.1 of 2015

D.Suresh

... Petitioner

Vs.

- 1.Union of India,,
Rep. by Secretary to Government,
Ministry of Finance,
Jeevan Deep Building,
Parliament Street,
New Delhi – 1.
- 2.The Assistant General Manager,
Reserve Bank of India,
Main Building, Post Box No.901,
Sahid Bhagatsingh Road,
Mumbai - 400 001.
- 3.The Secretary to Government,
Finance Department, Secretariat,
Fort.St.George, Chennai.
- 4.The General Manager,,
Sriram Transport Finance Company Ltd.,
No.4, Lady Desiga Road, Mylapore,
Chennai.



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5.The Branch Manager,,
Shriram Transport Finance Company Ltd.,
No.44/62 Ezhill Complex First Floor,
V.O.C Street, Sivagangai 630 561.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India,
praying this Court to issue a Writ of Mandamus, directing the
Respondents 1 to 3 herein to consider the representation of the petitioner
dated 24.03.2015 regarding the functioning of financial activities being
conducted by the Respondents 4 and 5 herein which is contrary to law.

For Petitioner : Mr.A.Shajahan

For Respondents : Mrs.K.Christy Theboral,
Addl. Government Pleader for R3.
Mr.K.R.Laxman for R2.
Mr.B.Murugan,
Central Govt. Standing Counsel for R1.
Mr.Ananth C.Rajesh for R4 & R5.

ORDER

Heard learned counsel on either side.



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2.The petitioner had availed loan from the fifth respondent. Some dispute arose between them regarding the rate of interest. This led the petitioner to file the present writ petition for directing the authorities to enquire into the functioning of the fiance company.

3.I am not inclined to issue the direction sought for. If the petitioner has any grievance against the respondents 4 and 5, it is always open to the petitioner to move the jurisdictional consumer forum or even the Civil Court. If the agreement provides for any other remedy, the same also can be invoked.

4.Granted liberty to the petitioner to avail such remedies, this writ petition is disposed. If the petitioner avails such remedies within a period of five weeks from the date of receipt of a copy of this order, limitation will not be put against the petitioner. No costs. Consequently, connected miscellaneous petition is closed.

07.07.2023

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

ias

To:-

The Secretary to Government,
Finance Department, Secretariat,
Fort.St.George, Chennai.

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07.07.2023