



WP (MD) No.14215 of 2016

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.02.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

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R.Thiruppathi

... Petitioner

Vs

- 1.The General Manager,
Reserve Bank of India,
Kamarajar Salai,
Chennai.
- 2.The General Manager,
Shri Ram Transport Finance Company Limited,
No.101 - 105, 1st Floor,
B Wing, Shiv Chambers,
Sector - II, CBD Belapur,
Navi Mumbai - 400 614
- 3.The Assistant General Manager,
Shri Ram Transport Finance Company Limited,
Moogambika Complex, 3rd Floor,
No.4, Lady Desika Road,
Mylapore, Chennai- 600 004.
- 4.The Manger,
Shri Ram Transport Finance Company Limited,
Sri Alagar Plaza,
1st Floor, GST Road,
Thirunagar, Madurai - 6.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a writ of mandamus,



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directing the 1st respondent to issue necessary direction to the 2nd respondent to the 4th respondent forbearing them from compelling the petitioner to make the payment of loan as in the capacity of the guarantor of the loan agreement No.MADU30204300001, based on the petitioner's representation dated 22.07.2016 made to the 1st respondent

For petitioner : Mr.K.K.Kannan

For Respondent : Mr.K.R.Laxman

No.1

For Respondent : Mr.Anand C Rajesh

No.3

For Respondent : No appearance

Nos.2 and 4

ORDER

This writ petition is filed for a direction to the 1st respondent to issue necessary direction to 2nd to 4th respondents forbearing them from compelling the petitioner to make the payment of loan as in the capacity of the guarantor of the loan agreement.

2.The respondent are not having any obligation on their part as prayed by the petitioner. It appears that



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arbitration clause is available in the loan cum hypothecation agreement and the petitioner can approach the arbitrator for getting suitable remedy. Therefore, this writ petition is dismissed. No costs.

13.02.2023

dsk



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B.PUGALENDHI, J.

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