WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.01.2023

CORAM

THE HONOURABLE **MR.JUSTICE G.R.SWAMINATHAN**

W.P(MD)No.28052 of 2022

R.Ramachandran ... Petitioner

Vs.

1.NBFC OMBUDSMAN,
Care of Reserve Bank of India,
Fort Glacis, Chennai-600 001.

2.The Branch Manager,
Shriram Transport Finance Company Limited,
Kottampatti Branch,
Melur Taluk,
Madurai. ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the first respondent to consider the petitioner's representation, dated 23.07.2022 and take action within the stipulated period as fixed by this Court.

For Petitioner : Mr.S.Arunnithy

For R-1 : No appearance
For R-2 : Mr.Ananth C.Rajesh

https://www.mhc.tn.gov.in/judis

WEB COPY

ORDER

Heard the learned Counsel for the writ petitioner and the learned Counsel for the second respondent.

2. The case of the writ petitioner is that he had cleared the dues payable to the second respondent. The second respondent is not releasing the original documents. On the other hand, the second respondent would contend that the petitioner is a defaulter and that arbitration proceedings are pending before the Tribunal.

3. The petitioner has given a complaint before the first respondent. The learned Counsel for the petitioner has drawn my attention to the Ombudsman Scheme for Non-Banking Financial Companies (NBFCs) issued in the year 2018 vide notification, dated 23.02.2018. The said scheme deals with lodging of complaints against NBFCs and the manner in which complaints have to be dealt with. The first respondent is directed to dispose of the petition mentioned complaints on merits and in accordance with law as per the norms set out in the said Ombudsman Scheme. I consciously refrain from stipulating any outer time limit because I am not aware of the work load of the first respondent. I have not gone into the merits of the matter. It is for the first respondent to take a call in the matter.

https://www.mhc.tn.gov.in/judis

WEB COPY

4. With this direction to the first respondent to dispose of the petition mentioned complaint expeditiously, the writ petition stands disposed of. There shall be no order as to costs.

23.01.2023

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

To

1.NBFC OMBUDSMAN,
Care of Reserve Bank of India,
Fort Glacis, Chennai-600 001.

2.The Branch Manager,
Shriram Transport Finance Company Limited,
Kottampatti Branch,
Melur Taluk,
Madurai.

https://www.mhc.tn.gov.in/judis

WEB COPY

G.R.SWAMINATHAN, J.

Btr

W.P(MD)No.28052 of 2022

23.01.2023