



WEB COPY



W.P.No.4135 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.09.2024

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.No.4135 of 2022

M.Karthik

... Petitioner

Vs.

1.The Honourable Ombudsman,
C/o. Reserve Bank of India,
Fort Glacis,
Chennai – 600 001.

2.The Manager,
ICICI Bank Limited,
Arihant Insight, Ambattur,
Ambattur Industrial Estate,
Chennai – 600 058.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 1st respondent to take action against 2nd respondent to follow the due process of law, regarding collection of loan amount, as guided by Reserve Bank of India forthwith petitioner complaint dated 23.11.2021.

For Petitioner : Mr.M.Govindarajan

For Respondents : No appearance [R1]
Mr.V.Velvizhi
for M/s.S.Vasudevan [R2]



W.P.No.4135 of 2022

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ORDER

This Writ Petition has been filed seeking for a Writ of Mandamus, to direct the 1st respondent to take action against 2nd respondent to follow the due process of law, regarding collection of loan amount, as guided by Reserve Bank of India forthwith petitioner complaint dated 23.11.2021.

2. The case of the petitioner is that, he borrowed a sum of Rs.1,50,000/- as personal loan from the 2nd respondent on 28.12.2018 in a wide loan agreement No.LPCHE00038431598, however, the 2nd respondent, without following the due process of law, had adopted illegal methods to recover the loan amount from the petitioner. Aggrieved by the same, the present writ petition has been filed.

3. Though very many grounds have been raised in this writ petition, learned counsel appearing for the petitioner submits that, it would suffice, if this court, issue a direction to the 2nd respondent to recover the loan amount from the petitioner, by following the due process of law as guided by the Reserve Bank of India.



W.P.No.4135 of 2022

4. Learned counsel appearing for the 2nd respondent submitted that, after due of process of law, loan amount will be recovered from the petitioner.

5. In view of the above submission, this court, without going into the merits of the case, directs the 2nd respondent to recover the loan amount from the petitioner, by following the due process of law and as per the regulations issued by the Reserve Bank of India.

6. With the above direction, this writ petition is disposed of. No costs.

06.09.2024
(1/2)

Index : Yes / No
Speaking order / Non-speaking order
Neutral Citation Case : Yes / No
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To

1.The Honourable Ombudsman,
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2.The Manager,
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M.DHANDAPANI, J.

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