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W.P.No.9124 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.06.2024

CORAM

THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No. 9124 of 2021

Arun Bharathi Arunachalam
Founder & Managing Director,
Bharathi Homes & Realtors Pvt Ltd,
No.37/9, Hariram Building
4th Floor, College Road,
Nungambakkam,
Chennai – 600 006.

.... Petitioner

Vs

1. The Reserve Bank of India,
Department of Banking Operations &
Development,
No.16, Rajaji Salai, Fort Glacis,
Chennai – 600 001.

2. M/s.Trans Union CIBIL Limited,
(Formerly : Credit Information Bureau (India) Limited,
One Indiabulls Centre, Tower 2A,
19th Floor, Senapati Bapat Marg,
Elphinstone Road, Mumbai – 400 013.

3. The General Manager,
The State Bank of India,
Pbb Raj Bhavan Road Hyderabad
6-3-639 by 640, Golden Edifice Complex,
Khairatabad, Rajbhavan Rd, Hyderabad – 500004.



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4. The General Manager,
Standard Chartered Bank,
19, Rajaji Salai,
Fort Saint George,
Opposite Beach Railway Station,
Parry's Corner,
George Town, Chennai.

.... Respondents

Prayer:- Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Mandamus, directing the second respondent to remove the name of the petitioner from the list of defaulters and consequently direct the third and fourth respondents to update the same in their bank records within the time frame fixed by this Court.

For Petitioner : Mr.S.Rajesh Kumar
for M/s.Nathan and Associates

For R1 : Mr.C.Mohan
for M/s.King & Partridge

For R2 : Mr.S.Parthasarathy

For R4 : Mr.K.M.Anand

ORDER

This Writ Petition has been filed for a direction directing the second respondent to remove the name of the petitioner in defaulter list.

2. Heard the learned counsel appearing on either side and perused the materials available on record.



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3. The petitioner borrowed a sum of Rs.1,25,000/- as loan from the third respondent. After repaying the same, he went abroad. However, there is a balance of Rs.10/-. Therefore, his account was declared as NPA. Since his account was closed, the petitioner was not able to pay the pending amount reflects to the tune of Rs.250/-. Due to which, his name has been included in the defaulters list by the second respondent. The petitioner had got credit card from the fourth respondent. Because the petitioner's name appeared in the defaulters list, the credit card was also cancelled by the fourth respondent. Hence, the present writ petition.

4. The learned counsel appearing for the second respondent would submit that whatever the information received from the lending institutions is reflected and accordingly, the second respondent maintains the cibil score of the creditors.

5. In view of the above, the petitioner is directed to settle the balance amount to the third respondent within a period of two weeks from the date of receipt of a copy of this order and the third respondent is



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directed to receive the same and send proper communication to the second respondent. On receipt of such communication, the second respondent shall delete the name of the petitioner from the defaulter's list.

5. With the above direction, this writ petition stands disposed of. No costs.

14.06.2024

Internet : Yes
Index : Yes/No
Speaking/Non-speaking order
Neutral Citation : Yes/No
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To
1. The Reserve Bank of India,
Department of Banking Operations &
Development,
No.16, Rajaji Salai, Fort Glacis,
Chennai – 600 001.

2. The General Manager,
The State Bank of India,
Pbb Raj Bhavan Road Hyderabad
6-3-639 by 640, Golden Edifice Complex,
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G.K.ILANTHIRAIYAN, J.

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