



WEB COPY



W.P.No.36630 of 2024.

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.12.2024

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THE HONOURABLE MR. JUSTICE S.SOUNTHAR

W.P No.36630 of 2024 and
W.M.P.No.39506 of 2024

G.Murugan

...Petitioner

Vs.

1. The Regional Director
Reserve Bank of India
Fort Glacis, No.16, Rajaji Salai,
Chennai-600 001.

2. L & T Housing Finance Limited
Having registered office at
Unit No.505 and 506
DLF Tower "B"
District Centre, Jasola
New Delhi-110 025.

Also having branch office at
NO.47, Chennai-Trichy Highway,
Mount Road, Triplicane
Chennai, Tamil Nadu-600 008.

3. Citi Financial Consumer Finance India Limited
Having registered office at 3, LSC , Pushp Vihar
New Delhi-110 062.

..Respondents



W.P.No.36630 of 2021.

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, direction to the 1st Respondent, to call upon the 2nd Respondent and direct the 2nd respondent to close the loan account bearing agreement No. CHNHF1522830, and release the Title Deeds belonging to the Mortgaged Property to the Petitioner herein

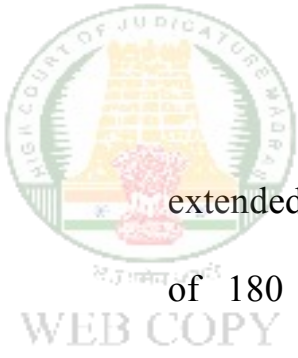
For Petitioner

: Mr.D.Ferdinand
for BFS Legal

ORDER

The petitioner herein seeks a direction to 1st respondent to issue direction to 2nd respondent to close the loan account bearing agreement No.CHNHF1522830 and release the title deeds belonged to the petitioner which was originally mortgaged with the 3rd respondent and subsequently, made over in favour of 2nd respondent.

2. It is the case of the petitioner that he availed housing loan for Rs.5,30,000/- from 3rd respondent and mortgaged the properties by depositing the title documents. Subsequently, on 30.11.2013, the loan was unilaterally assigned by the 3rd respondent in favour of 2nd respondent. The 2nd respondent



extended the loan tenure to 210 months arbitrarily against the original tenure of 180 months. The 2nd respondent claimed additional amount citing moratorium adjustments due to Covid-19 lockdown. The petitioner lodged a complaint with 1st respondent on 26.03.2022 and the same was rejected with direction to approach the 2nd respondent. Therefore, the petitioner has filed this writ petition seeking direction as prayed for.

3. With regard to the grievance expressed by the petitioner, he straightaway lodged a complaint with the 1st respondent without approaching the 2nd respondent. Therefore, the 1st respondent passed an order on 26.03.2022 directing the petitioner to approach the 2nd respondent by making a formal complaint. In these circumstances, the petitioner is not entitled to seek any relief from this Court without approaching 2nd respondent and also exhausting further remedy before the 1st respondent.

4. In view of the same, the petitioner is directed file a formal complaint with regard to his grievance before the 2nd respondent within a period of two weeks from the date of receipt of copy of this order. If any such complaint is



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made by the petitioner within a time stipulated, the 2nd respondent is expected to consider and dispose of the same within a period of four weeks from the date of receipt of such complaint. In case, the grievance of the petitioner has not been redressed by the 2nd respondent within a period of four weeks, it is open to the petitioner to lodge a complaint before the 1st respondent and the 1st respondent shall consider the same in accordance with law.

5. With the above directions, this writ petition stands disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

09.12.2024

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation Case : Yes/No
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To
The Regional Director
Reserve Bank of India
Fort Glacis, No.16, Rajaji Salai,
Chennai-600 001.



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S.SOUNTHAR, J.

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