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WP No. 2158 of 2021



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15-09-2025

CORAM

THE HONOURABLE MR JUSTICE M.DHANDAPANI

WP No. 2158 of 2021

D.Santhakumar

Petitioner(s)

Vs

1. The Regional Director
Reserve Bank of India, Fort Glacis, Rajaji
Salai Chennai - 600001.

2.The Managing Director,
Credit Information Bureau (India) Limited,
Hoechst House, 6th Floor,
193, Backbay Reclamation, Nariman Point,
Mumbai - 400 021.

3.The American Express Bank Limited,
Represented By Its Manager, No. 187,
Mount Road, Chennai - 600 006.

Respondent(s)

This writ petition has been filed under Article 226 of Constitution of India, to issue a writ of Mandamus directing the 2nd respondent to take appropriate action against the 3rd respondent for updating the false information and further direct the 3rd respondent to delete the petitioner name from the defaulters list and update the petitioner Credit Information in the 2nd respondents Consumer Credit Information Report.



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For Petitioner(s): Mr.S.Arivazhagan
For Respondent(s): R-1 No appearance
R2 & R3 Nor ready notice

ORDER

This petition has been filed seeking a direction to the 2nd respondent to take appropriate action against the 3rd respondent for updating the false information and further direct the 3rd respondent to delete the petitioner name from the defaulters list and update the petitioner Credit Information in the 2nd respondents Consumer Credit Information Report.

2. It is the case of the petitioner that the petitioner has availed loan from the third respondent Bank and repaid the entire dues. However, in the year 2008, the petitioner received a notice to pay the outstanding amount. After Negotiation and discussion, the matter has been settled before the Lok Adalat. Even though the amount had been settled way back in the year 2008 itself, the petitioner's name has been found in the CIBIL. Hence, the petitioner sent a notice on 21.03.2016 to the respondents and call upon them to closing of his loan account and delete the name from the second respondent. Subsequently, the petitioner made a representation to the second respondent to initiate criminal proceedings against the third respondent to update this credit information in the second respondents consumer credit information report to the effect that he has no dues to the 3rd respondent. Again on 24.06.2016, the petitioner made a representation to the first respondent to take a criminal action against the 3rd



respondent for its misdeeds fraud committed and the same was acknowledged by them but they did not take any action. Hence, the present petition.

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3. The learned counsel for the petitioner submitted that this Court permit the petitioner to make a fresh application before the Banking Ombudsman for the above said issue.

4. Heard the learned counsel for the petitioner and perused the materials available on record. Though notice has been served on the first respondent, none appeared on behalf of them, name of the respondent has been printed in the causelist. Considering the pendency of the case, this Court is inclined to dispose the same on merits based on the available records.

5. Considering the facts and circumstances of the case and having regard the submissions made by the learned counsel on either side, this Court grants liberty to the petitioner to approach the Banking Ombudsman if he has any grievance.

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

15-09-2025

Rli



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M.DHANDAPANI J.
rli

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

The Regional Director
Reserve Bank of India, Fort Glacis,
Rajaji Salai Chennai - 600001.

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