



WEB COPY

W.P.No. 34838 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.09.2025

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No. 34838 of 2025

Subramanian Siva Sakthi Kumar

... Petitioner

Vs.

1.The Manager,
ICICI Bank Kancheepuram Branch,
Old No.17, New No.25, Gandhi Road,
Kancheepuram, Tamil Nadu – 631501.

2.The Ombudsman,
Reserve Bank of India,
Fort Glacis, Chennai – 600 001.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, seeking issuance of Writ of Mandamus, directing the respondents to remove the petitioner name as co-applicant for the Business loan obtained by M/s.Samoo Engineering India Pvt. Ltd., vide loan Account No: UPKRM00048404560 from ICICI Bank, Kancheepuram Branch and consider the representation dated 01.09.2025 within a time frame fixed.

For Petitioner : Mr.T.R.Prabhakaran

For Respondents : Ms.Keerthi Varshini T.

For M/s.Aiyar & Dolia for R2

ORDER



The learned counsel for the petitioner would submit that the petitioner was an Additional Director of M/s.Samoo Engineering Pvt. Ltd.

The said Company obtained loan for a sum of Rs.40,00,000/- from the 1st respondent Bank and the loan was disbursed to the petitioner's Company on 20.07.2023, in which, the petitioner is a co-applicant of the said loan amount. Subsequently, he resigned M/s.Samoo Engineering Pvt. Ltd. on 02.05.2024 and his resignation was confirmed by the Company on the same day and he left the Company after serving notice period of some months. While so, the 1st respondent Bank attached the petitioner's Bank account for non-payment of the said loan amount. Challenging the same, the petitioner made a representation to the 2nd respondent to remove his name as co-applicant for the said business loan. Since no order was passed, he filed this writ petition.

2. The learned counsel for the petitioner would seek a direction to pass appropriate order removing the petitioner's name as co-applicant. However, the learned counsel for the 2nd respondent would vehemently contend that the petitioner is a co-applicant for the loan obtained by M/s.Samoo Engineering Pvt. Ltd. Unless the loan is secured as per the agreement of the 1st respondent, the petitioner, who is a co-applicant at the time of obtaining



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the loan as an Additional Director in his capacity is liable for the same.

Since the petitioner and the Company default in loan payment thereby, the 1st

respondent Bank attached the petitioner's bank.

3. Admittedly, the petitioner and his Company obtained loan only by entering into joint application and since the Company defaulting payment of the loan thereby, the first respondent Bank attached the petitioner's account. Such an order cannot be interfered with. Hence, this writ petition is dismissed. No costs.

22.09.2025

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Internet : Yes / No

Index: Yes / No

Speaking order / Non-speaking order

Neutral Citation : Yes / No

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M.DHANDAPANI, J.



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