



W.P(MD)No.3562 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.02.2025

CORAM

THE HONOURABLE MR.JUSTICE P.DHANABAL

W.P(MD)No.3562 of 2025
and
W.M.P(MD)No.2521 of 2025

M.Sankar

... Petitioner

Vs.

1.The Superintendent of Police,
Karur District,
Karur.

2.The Inspector of Police,
Nangavaram Police Station,
Karur District.

3.Vistaar Financial Services Private Limited,
Plot No.59 & 60 - 23,
22nd Cross, 29th Main, BTM 2nd Stage,
Bengaluru - 560 076.

4.The Branch Manager,
Vistaar Finance - Pvt,
Viramalai Road,
Manapparai,
Trichy District.

... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 1 and 2 to forbear the respondents 3 and 4 or their henchmen from illegally harassing and collecting monthly installments for Loan Account Number 0276SBML00309 on the file of the third respondent, based on the petitioner's complaint, dated 30.01.2025 and pass such further or other orders as this Court.

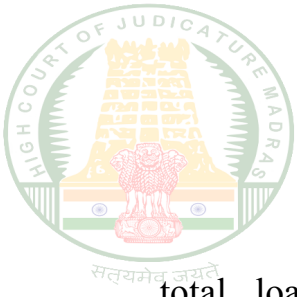
For Petitioner : Mr.A.N.Ramanathan

For R-1 & R-2 : Mr.R.M.Anbunithi
Additional Public Prosecutor

ORDER

The present petition has been filed for issuance of Writ of Mandamus directing the respondents 1 and 2 to forbear the respondents 3 and 4 or their henchmen from illegally harassing and collecting monthly installments for Loan Account Number 0276SBML00309 on the file of the third respondent, based on the petitioner's complaint, dated 30.01.2025.

2. According to the petitioner, he obtained loan from the fourth respondent Branch as a security. He also mortgaged the property and executed Memorandum of Deposit of Title Deeds in favour of the third respondent. The



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total loan amount was Rs.15 Lakhs and after deducting the charges, Rs.13,77,000/- was credited in the petitioner's account and monthly EMI is Rs.30,207/- for the period of 12 years from 05.03.2024 to 05.02.2036. Already he paid EMI till December 2024. For the month of January, there is a due on 05.01.2025. Hence, the respondents 3 and 4 entered into the house of the petitioner and abused filthy language. Therefore, the petitioner sent a complaint to the first respondent through online, dated 29.01.2025 and again sent a representation, dated 30.01.2025 through registered post to the first respondent. Since the same was not considered by the respondents, the petitioner filed this petition to consider his representation.

3. Considering the nature of the relief sought for in this petition, without issuing notice to the private respondents, this Court is inclined to pass order.

4. According to the petitioner, the respondents 3 and 4 threatened the petitioner and trespassed into the property and abused the petitioner for the due of loan for the month of January. Already they furnished a security and if at all any default, the respondents 3 and 4 can take appropriate action in the manner known to law but at the same time, they cannot threaten the petitioner by



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trespassing into the house of the petitioner. However, the learned Additional Public Prosecutor appearing for the official respondents fairly admitted that they received the representation of the petitioner and they will dispose the representation of the petitioner in accordance with law within one week.

5. Considering the above said submissions made by the learned Additional Public Prosecutor appearing for the official respondents, this Court directs the second respondent to dispose the compliant of the petitioner, dated 30.01.2025 on merits and in accordance with law, within a period of one week from the date of this order.

6. With the above said observations and directions, this writ petition stands disposed of. There shall be no order as to costs. Consequently, connected Miscellaneous Petition stands closed.

10.02.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes
BTR



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P.DHANABAL, J.

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