



W.P(MD)No.12462 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.11.2025

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.12462 of 2022

Mary Gousalya

... Petitioner

Vs.

1.The Finance Secretary,
Department of Financial Services,
Ministry of Finance,
Government of India,
New Delhi.

2.The Branch Manager,
REPCO Home Finance Ltd.,
Near American College,
Thallakulam,
Madurai-2.

3.The Regional Manager,
Regional Office,
The New India Insurance Company Ltd.,
70 Feet Road,
New Ellis Nagar,
Near BSNL Telephone Rxchange,
Madurai-16.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the 1st respondent to initiate actions against the 2nd respondent based on the petitioner's representation dated 21.03.2022 within stipulated time.



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For Petitioner : Mr.T.A.Ebenezer

For Respondents : Mr.M.Karthikeya Venkitachalapathy
for R1

: Mr.Kasirajan
for R2

: Mr.C.Deepak for R3

ORDER

Heard both sides.

2. The writ petitioner's husband availed loan from the second respondent. He paid 25 EMIs. He passed away due to cancer on 14.12.2020. It appears that proper insurance policy was not taken. Therefore, the third respondent declined to clear the balance housing loan liability. The petitioner on the other hand claims that proper life insurance was taken and that the second respondent has been negligent in discharging their service. Such issues will have to be resolved only before the consumer forum. The question of directing the Union Government to take action against the second respondent in respect of a solitary transaction does not arise at all.



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3. Granting liberty to the writ petitioner to approach the consumer forum or the jurisdictional civil Court for appropriate relief, the writ petition is disposed of. If any such petition is filed before the consumer forum, time taken for prosecuting this writ petition shall be excluded while computing the limitation. No costs.

04.11.2025

Index : Yes / No
Internet : Yes/ No
rmi



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G.R.SWAMINATHAN, J.

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