APHC010125282026

**IN THE HIGH COURT OF ANDHRA PRADESH**
**AT AMARAVATI** **[3332]**
**(Special Original Jurisdiction)**

MONDAY, THE 12th DAY OF OCTOBER 2026

**PRESENT**

**THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI**

**WRIT PETITION NO: 6920/2026**

**Between:**

1. TELUGU CHANDRA KANTH,, SON OF PULLAIAH, AGED 26 YEARS, RESIDENT OF DOOR NO. 69/4/6, TELUGU STREET, JOHARAPURAM, KURNOOL CITY, KURNOOL DISTRICT, ANDHRA PRADESH.

**...PETITIONER**

**AND**

1. THE RESERVE BANK OF INDIA, REP.BY ITS CHIEF GENERAL MANAGER, 1ST FLOOR, AMAR BUILDING, SIR P.M. ROAD, MUMBAI-400 001.
2. INDIAN BANK PERSONAL LOAN DIVISION, REP. BY ITS CHIEF MANAGER, O/O. PB NO 5555, 254-260, AVVAI SHANMUGAM SALAI, ROYAPETTAH, CHENNAI - 600 014.
3. DBS BANK INDIA LIMITED, ( PERSONAL LOAN DIVISION ) REP. BY ITS CHIEF MANAGER, O/O. 1ST FLOOR, EXPRESS TOWERS, NARIMAN POINT, MUMBAI- 400021, STATE OF MAHARASTRA.
4. AXIS BANK INDIA, ( PERSONAL LOAN DIVISION), REP. BY ITS CHIEF MANAGER, O/O. AXIS HOUSE, 7TH FOLLR, C-2, WADIA INTERNATIONAL CENTRE, PANDURANG BUDHKAR MARG, WORLI, MUMBAI - 400025, STATE OF MAHARASTRA.
5. AXIS BANK LTD CREDIT CARD, REP. BY ITS MANAGER, O/O. CPU, 1ST FLOOR, GIGAPLEX PLOT NO I.T. 5, MIDC, AIROLI

KNOWLEDGE PARK AIROLI NAVI, MUMBAI-400708, STATE OF MAHARASTRA.

6. ICICI BANK CREDIT CARD DIVISION, REP. BY ITS MANAGER, O/O. ICICI BANK TOWNERS, BANDRA KURLA COMPLEX, MUMBAI-400051, STATE OF MAHARASTRA.

7. INDUSIND BANK LTD PERSONAL LOAN DIVISION, REP. BY ITS CHIEF MANAGER, PLOT NO. 57, ROAD NO 17, PNA HOUSE, 3RD FLOOR, MIPC, ANDHERI (E), MUMBAI- 400093, STATE OF MAHARASTRA.

8. SLICE SMALL FINANCE BANK, REP. BY ITS CHIEF MANAGER, O/O. 1ST AND 3RD FLOOR, FORTUNE CENTRAL, BASISTHA ROAD, BASISTHAPUR, BYLANE NO. 3 BELTOLA, GUWAHATI, ASSAM-781028.

**...RESPONDENT(S):**

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased tomay be pleased to issue an appropriate Writ more particularly one in the nature of WRIT OF MANDAMUS declare the action of the Respondents No. 2 to 8 in harassing the petitioner and his family members by sending loan recovery agents to house of the petitioner, harassing physically and mentally by making continuous phone calls and humiliating him in front of neighbors without following the guidelines issued by the 1st respondent/ Reserve Bank of India vide memo. No. RBI/2022-23/108 dated 12.08.2022 which is illegal arbitrary unconstitutional and violation of Article 14 and 21 of Constitution of India, and consequently to direct the respondent No. 2 to 8 to follow the guidelines issued by the 1st respondent/ Reserve Bank of India vide memo. No. RBI/2022-23/108 dated 12.08.2022 and pass such

**IA NO: 1 OF 2026**

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased may be pleased direct the respondent No. 2 to 8 not to harass ( physically and mentally) the petitioner by sending the recovery agents to house and not to make any phone calls without following the proceedure, pending disposal of main writ petition and pass such

**Counsel for the Petitioner:**

1. PATHI SIVA PRASAD

**Counsel for the Respondent(S):**

1. KUNUKU RAJA SEKHAR
2.
3. C SUBODH

**ORDER**

This Writ Petition is filed questioning the action of the respondent nos.2 to 8/banks in harassing the petitioner and his family members by sending loan recovery agents to the house of the petitioner, by making continuous phone calls and humiliating him in front of neighbours without following the guidelines issued by Reserve Bank of India vide Memo No.RBI/2022-23/108, dated 12.08.2022.

2. Heard Sri Pathi Siva Prasad, learned counsel for petitioner, Sri C.Subodh, learned Standing Counsel for respondent no.3 bank and Sri Kunuku Rajasekhar, learned Standing Counsel for respondent no.5 bank.

3. Perused the record and considered the submissions made by the learned counsel for the parties.

4.The Hon'ble Apex Court ***in ICICI Bank Ltd. V. Prakash Kaur and others***[1] has categorically held that the practice of hiring recovery agents, who are musclemen, is deprecated and needs to be discouraged. The Bank

[1] (2007) 2 SCC 711 n

should resort to procedure recognized by law if the borrower have committed default in payment of the installments instead of taking resort to strong arm tactics. However, as the respondents contend that they never sent agents and they have an intention to follow law for recovery, there is no purpose in keeping the writ petition pending, as such, this Court is inclined to dispose of the writ petition.

5. In view of the above, respondent nos.2 & 4 to 7 should resort to procedure recognized by law if the borrower have committed default in payment of the installments instead of taking resort to strong arm tactics.

6. So far as respondent nos.3 and 8 are concerned, in **S. Shobha v. Muthoot Finance Ltd.**[2], the Hon'ble Supreme Court of India ruled that a writ petition under Article 226 of the Constitution is not maintainable against a private non-banking financial company (NBFC) or private commercial entities. Therefore, this writ petition filed against respondent nos.3 and 8 is not maintainable and the petitioner is at liberty to pursue his remedies by approaching appropriate Forum.

7. Accordingly, the writ petition is ***disposed of.*** However, the respondent nos. 2 & 4 to 7 are not precluded to take steps in accordance with law for recovery of money, if any, payable by the petitioner. Further, the petitioner is

[2].(2025 INSC 117)

at liberty to approach appropriate Forum for getting his grievance redressed against respondent nos.3 to 8. There shall be no order as to costs.

As a sequel, miscellaneous applications, pending if any, shall stand closed.

**JUSTICE RAVI CHEEMALAPATI**

12th October, 2026
RR