APHC010438482025

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: 23116/2025

Between:

1. ATKURI GAYATRI, W/O VEERABABU A/40 YEARS, OCC- BUSINESS R/O DOOR.NO- 2-165/3, ADARSA NAGAR ROAD. NO.8. NEAR WATER TANK CHIDIGA, GANGANAPALLE KAKIAPDA RURAL, KAKINADA DIST, B.P 533006
2. ATKURI VEERABABU, S/O SURIBABU,A/45 YEARS, R/O DOOR.NO 2-165/3, ADARSA NAGAR ROAD. NO.8. NEAR WATER TANK CHIDIGA, GANGANAPALLE KAKIANDA RURAL. EAST GODAVARI DIST, A.P 533006

...PETITIONER(S)

AND

1. THE RESERVE BANK OF INDIA, REP BY ITS CHIEF GENERAL MANAGER 6-156 SECRETARIAT ROAD, SAIFABAD KHAIRATABAD HYDERABAD TELANGANA5000047
2. AYE FINANCE PRIVATE LIMITED, REP. BY ITS AUTHORISED SIGNATORY. CORPORATE OFFICE UNITNO. - 701-711, 7TH FLOOR, UNITECH COMMERCIAL TOWER-2, SECTOR-45, ARYA SAMAJ ROAD, GURUGRA -122003, HARYANA, INDIA.
3. BAJAJ FINANCE LTD, REP. BY ITS AUTHORISED SIGNATORY,4TH FLOOR BAJAJ FINSERV CORPORATE OFFICE, OFF PUNE-AHMEDNAGAR ROAD,, VIMAN NAGAR,PUNE, MAHARASHTRA, 411014
4. CRED RIGHT FINANCE PVT LTD, CRED RIGHT FINANCE

PVT.LTDREP. BY ITS AUTHORISED SIGNATORY. 6TH FLOOR, TOWER 1, VASAVI SHALOM SKY CITY, GACHIBOWLI-500032, RANGA REDDY, TELANGANA

5. TVS CREDIT SERVICES LIMITED, REP. BY ITS AUTHORIZED SIGNATORY 3RD FLOOR, BRISTOL TOWERS, PLOT NO. 10, SOUTH PHASE, THIRU-VI-KA INDUSTRIAL ESTATE, ADJACENT TO MARUTI SERVICE MASTERS, GUINDY CHENNAI - 600032
6. PRAYAN CAPITAL PVT TD, REP. BY ITS AUTHORISED SIGNATORY PILLAYAR KOIL 2ND CROSS STREET, KRISHNA NAGAR, PAMMAL, CHENNAI - 600075
7. UNION OF INDIA, REP. BY ITS SECRETARY MINISTRY OF FINANCE. NEW DELHI
8. THE STATION HOUSE OFFICER, S.H.O INDRAPALEM P.S KAKIANDA RURAL MANDAL, KAKINADA DIST.

...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 topleased to issue a Writ Order or Direction more particularly one in the nature of a Writ of Mandamus declaring the actions of the Respondents 2 to 6 in sending recovery agents to the residence of the Petitioner and threatening them with dire consequences if loans are not repaid as illegal arbitrary and against Article 14, 19 and 21 of the Constitution of India and consequently direct the Respondents No 2 to 6 to forthwith stop sending recovery agents to the Petitioners residence and follow procedure as contemplated by law to recover any loans that may be due to them and pass

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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 pleased to direct the 8TH respondent to give Police protection to the Petitioners from the recovery agents of the Respondents No 2 to 6 and also direct the Respondents No 2 to 6 forthwith stop sending recovery agents to the Petitioners residence and follow procedure as contemplated by law to recover any loans that may be due to them and pass

Counsel for the Petitioner(S):

1. ANGADA SATYA RAGHAVENDRA

Counsel for the Respondent(S):

1. K H V SIVA KUMAR
2. GP FOR HOME
3. DASAM DURGA SHIVA SAI
4. KUNUKU RAJA SEKHAR
5.

The Court made the following:

ORDER

This Writ Petition is filed questioning the action of the respondent nos.3 to 6 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 Angada Satya Raghavendra, learned counsel for petitioner, Sri Venkateswarlu Gunduboina, learned Central Government Counsel, Sri Kunuku Raja Sekhar, learned counsel for respondent no.5 and Sri K.H.V.Siva Kumar, learned counsel for respondent no.6.

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

4. In **S. Shobha v. Muthoot Finance Ltd.**[1], 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. 2 to 6 is not maintainable and the petitioner is at liberty to pursue his remedies by approaching appropriate Forum.

5.Accordingly, the writ petition is ***disposed of.*** However, the petitioner is at liberty to approach appropriate Forum for getting his grievance redressed against respondent nos. 2 to 6 . There shall be no order as to costs.

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

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JUSTICE RAVI CHEEMALAPATI

12th October, 2026

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[1].**(2025 INSC 117)**