APHC010458602025

**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: 23861/2025**

**Between:**

1. RAVI KUMAR PALLAVOLU, S/O P. PENCHALAIAH, AGED ABOUT 37 YEARS, OCC. UNEMPLOYED, R/O PADMATI NAIDUPALLI VILLAGE AND POST, MARRIPADU MANDAL, SPSR NELLORE DISTRICT.

**...PETITIONER**

**AND**

1. THE UNION OF INDIA, REP. BY ITS SECRETARY, MINISTRY OF FIANCE, JEEVAN B BUILDING, SANSAD MARG., NEW DELHI.
2. THE RESERVE BANK OF INDIA, REP. BY ITS CHIEF GENERAL MANAGER. 6, SANSAD MARG, NEW DELHI-110 001.
3. THE STATION HOUSE OFFICER, MARRIPADU MANDAL, SPSR NELLORE DISTRICT.
4. KREDITBEE, 4TH FLOOR, ANJANEYA TECHNO PARK, NO.147, HAL OLD AIRPORT ROAD, ISRO COLONY, KODIHALLI, BENGALURU, KARNATAKA STATE - 560 008.
5. NAVI, 2ND FLOOR, VAISHANVI TECH SQUARE, LBALLUR VILLAGE, BEGUR HOBLI, BENGALURU, KARNATAKA STATE -560 102.
6. MONEY VIEW, 1ST AND 2ND FLOOR, 17/1, OUTER RING ROAD, KADUBEESANAHALLI, BENGALURU, KARNATAKA STATE - 560 103.
7. RUPEE REDEE, REGISTER OFFICE NO.1/2, LALITHA NILAYA, 4TH

CROSS, RMV II STAGE. BOOPSANDRA, BENGALURU, KARNATAKA STATE - 560 094.

8. TRUST PAISA, 512/1 SERVICE LANE, OUTER RING ROAD, MAHADEVAPURA, NEXT TO MORE MEGASTORE, BANGALORE NORTH, BANGALORE -560 048, KARNATAKA STATE.

9. INSTA MONEY, GALA-2 CTS NO.141, KUBER, CHAMBERS, DATTA MANDIR ROAD, MALAD EAST, MUMBAI-400 097, MAHARASHTRA STATE.

10. ZYPE, 2ND FLOOR, DYNA BUSINESS PARK, STREET NO.1, MIDC, ANDHERI (EAST), MUMBAI-400 093, MAHARASHTRA STATE.

11. CHINMAY FINLEASE LIMITEDS, REGISTERED OFFICE IS LOCATED AT 3RD AND 4TH FLOOR, HOUSE 14, TIMES CORPORATE PARK, 0PP. COPPER STONE FLATS, THALTEJ, AHMEDABAD 380059, GUJARAT STATE.

12. BRANCH INTERNATIONAL FINANCIAL SERVICES PVT LTD, 01, AWFIS, SPACE SOLUTIONS, 4TH FLOOR, VIOS TOWERS, OFF EASTERN EXPRESS HIGHWAY, SEWRI-CHEMBUR ROAD, MUMBAI - 400 037, MAHARASHTRA STATE.

13. BHARATH LOAN, 3RD FLOOR, PLOT NO.68, OKHIA PHASE -3 ROAD, NEW DELHI, SOUTH EAST DELHI-110 020.

14. INSTANT MUDRA, 216, ANSAL VIKAS DEEP BUILDING, NIRMAN VIHAR, DELHI-110 092.

15. SABKA LOAN, 1ST FLOOR, PLOT NO.17, POCKET-8, BLOCK-C, SECTOR-17, DWARKA, NEW DELHI- 110 075.

16. 30 DAYS LOAN, GIRDHAR FINLEASE PRIVATE LIMITED, 106, 1ST FLOOR, SURYA KIRAN BUILDING, 19 KASTURBA GANDI MARG, NEW DELHI, 110 001.

17. KREDITO24, OFFICE 508-510, WELLDONE TECH TOWER, 305C, SOHNA ROAD, SECTOR 48, GURUGRAM, HARYANA 122 018.

18. RAMFIN CORPORATION, RK BANSAL FINANCE PRIVATE LTD., 8/9, PUSA ROAD, BLOCK 8, WEA, KAROL BAGH, NEW DELHI -110 005.

19. PAY ME, DR.LTM, PLOT NO.C-56A/10 AND 11, SECTOR-62, OPPOSITE STELLAR IT PARK, NOIDA, 201 301. UP.

20. CREDITT PLUS, 205,2ND FLOOR, EMBASSY CENTRE, NARIMAN POINT, MUMBAI, MAHARASHTRA 400 021.

21. STASHFIN, MR. AMARJEET SINGH, UNIT NOS. 1801-1805, 1806A, 1806B, 1807A, 1807B AND 1805, 18TH FLOOR, MAGNUM GLOBAL PARK 2, GOLF COURSE, EXT ROAD SECTOR58, GURGAON 122 011.

22. HDFC PERSONAL LOAN, REP. BY ITS KRISHARAO GOKAVARAPU, HDFC BANK LTD., 8TH FLOOR, HDFC BANK HOUSE, ROAD NO.1, BANJARA HILLS, HYDERABAD - 500 034.

23. HDFC CREDIT CARD, REP. BY ITS KRISHARAO GOKAVARAPU, HDFC BANK LTD., 8TH FLOOR, HDFC BANK HOUSE. ROAD NO.1, BANJARA HILLS, HYDERABAD - 500 034.

24. SBI CREDIT CARD, SBI CARDS AND PAYMENT SERVICE LIMITED, UNIT 401 AND 402, 4TH FLOOR, AGGARWAL MILLENNIUM TOWER E-1,2,3, NETAJI SUBHASH PLACE, WAZIPUR, NEW DELHI-110 034.

25. AXIS CREDIT CARD, 3RD FLOOR, 0PP. SAMARTHESHWAR TEMPLE, LAW GARDEN, ELLISBRIDGE, AHMEDABAD - 380 006, GUJARAT STATE.

26. FLEX SALARY, VIVIFI INDIA FINANCE PVT., LTD, UNIT A, 9TH FLOOR, MJR MAGNIFIQUE, SURVEY NO.75 AND 76, KHAJAGUDA X ROADS, RAIDURGAM, HYDERABAD- 500 008, TELANGANA STATE.

**...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 an appropriate Writ, Order or Direction, more particularly one in the nature of 'Writ of Mandamus i) Declaring the inaction of the respondent nos 4 to 26 in highhandedly, arbitrarily and illegally trying to recover the amounts from the petitioner by not following Circular dated 12.08.2022 Vide RBI/2022- 23/108, DOR.ORG.REC.65/21.04.158/2022-23 issued by the 2nd respondent or any due process of law and the inaction of

the respondent No.2 to legitimately protect the interest of the petitioner by duly enforcing Circular dated 12.08.2022 Vide RBI/2022-23/108,DOR.ORG.REC.65/21.04.158/2022-23 as illegal, arbitrary and violation of Article 14, 19 and 21 of the Constitution of India. ii) Direct the respondent Nos. 4to26 to follow circular dated 12.08.2022 vide RBI/2022-23/108, DOR.ORG.REC.65/21.04.158/2022- 23 issued by the 2nd respondent. iii) Direct the respondent no.2 to duly enforce the Circular dated 12.08.2022 vide RBI/2022-23/108, DOR.ORG.REC.65/21.04.158/2022- 23 to protect the interest of the petitioner against the respondent Nos. 4 to26. iv) Direct the respondent no.2 to take stringent action against the errant official of the respondent Nos. 4 to 26 in unlawfully, illegally and arbitrarily taking to recover the amounts from petitioner without following any due process of law 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 respondent Nos.4 to 26 not to take any coercive measures against the petitioner without following due process of law and mandatorily following Circular dated 12.08.2022 vide RBI/2022-23/108, DOR.ORG.REC.65/21.04.158/2022-23 issued by the 2nd respondent, pending disposal of the main writ petition, and pass

**Counsel for the Petitioner:**

1. P V VENKATA RAVI SANKAR and Dr. P.B Reddy

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

1. VENKATESWARLU GUNDUBOINA (CENTRAL GOVT COUNSEL)
2. KUNUKU RAJA SEKHAR

**ORDER**

This Writ Petition is filed questioning the action of the respondent nos.4 to 26 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 P.V.Venkata Ravi Sankar, learned counsel for petitioner, Sri Kunuku Rajasekhar, learned Standing Counsel for respondent no.25.

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 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.22,23 & 25 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.

[1] (2007) 2 SCC 711 n

6. So far as respondent nos.4 to 21 & 26 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. 4 to 21 & 26 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.22,23 & 25 are not precluded to take steps in accordance with law for recovery of money, if any, payable by the petitioner. Further, the petitioner is at liberty to approach appropriate Forum for getting his grievance redressed against respondent nos.4 to 21 & 26. 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
BRS

[2].**(2025 INSC 117)**