APHC010521322026

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

TUESDAY, THE 13th DAY OF OCTOBER 2026

PRESENT

THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI

WRIT PETITION NO: 28305/2026

Between:

1. GADDE JHANSI RANI, C/O DAMARLA VEERANJANEYULU, AGED ABOUT 51 YEARS, RIO. FLAT NO.404, NSR PLAZA, MANGALAGIRI, GUNTUR DISTRICT.

...PETITIONER

AND

1. RESERVE BANK OF INDIA, MAIN BUILDING, P.O.BOX 901, SHAHID BHAGAT SINGH ROAD, MUMBAI 400 001, REP. BY ITS CHIEF GENERAL MANAGER
2. LIC HOUSING FINANCRE LTD, II-G, 1ST FLOOR, ANAND HEIGHTS, D.NO. 20-4-15, OK REDDY ROAD, KEDARESWARA PETA, VIJAYAWAD - 520003
3. LIC HOUSING FINANCRE LTD, 131, MAKER TOWER, F PREMISES, 13TH FLOOR, CUFFE PARADE, MUMBAI 400005
4. LIC HOUSING FINANCRE LTD, BOMBAY LIFE BUILDING, 2 ' FLOOR, 45/47, VEER NARIMAN ROAD, MUMBAI - 400001

...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 to issue a writ of mandamus or any other appropriate writ or direction declaring the action of the respondents 2 to 4 and their agents in resorting to intimidation and harassment by verbal, adoption of abusive practices against the petitioner in the process of debt collection without

following the guidelines of 1st respondent prescribed in Circular RBI/2008 09/39DBOD.FSD.BC.6/24.01.0111/2008-09, dt.01.07.2008 and Master Circular RBI/2014-15DBOD No.Dir.BC.16/13.03.00/2014-15, dt.01.07.2014 as illegal, arbitration and violation of Article 21 of Constitution of India and consequently direct the 1st respondent to ensure that respondents 2 to 4 and their agents engaged for recovery of the dues should strictly adhere to the guidelines issued by the 1st respondent 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 to restrain the respondents in resorting to intimidation and harassment by verbal, adoption of abusive practices against the petitioner in the process of debt collection during pendency of the Writ petition and pass

Counsel for the Petitioner:

1. C SUBODH

ORDER

ORDER

This Writ Petition is filed questioning the action of the respondent nos.2 to 4/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 C.Subodh, learned counsel for petitioner.

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

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.2 to 4 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. Accordingly, the writ petition is ***disposed of.*** However, the respondent nos. 2 to 4 are not precluded to take steps in accordance with law for recovery of money, if any, payable by the petitioner. There shall be no order as to costs.

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

JUSTICE RAVI CHEEMALAPATI

13th October, 2026
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[1] (2007) 2 SCC 711 n