IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15-04-2026

CORAM

THE HONOURABLE MR JUSTICE M.DHANDAPANI

WP No. 13755 of 2026 and WMP.Nos.15023 & 15026 of 2026

S.Sivakumar Petitioner(s)

Vs

1. The Ombudsman
Reserve Bank of India, RBI Building
2md Floor, Fort Glacis, 16 Rajaji Salai,

2.M/s. HDFC Credila Financial
Services Ltd.,
VBC Solitaire, 6th Floor, Old No.23/24,
New No.47 and 49 Bazullah Road, T.
Nagar, Chennai-600 017

3.Nithish Kanna Respondent(s)

PRAYER: Petition filed under Article 226 of Constitution of India, calling for the records pertaining to the impugned order vide RBI/CMS/N202526006010880/2025-26 dated 17.02.2026 passed by the 1st Respondent and quash the same and consequently direct the 2nd respondent to grant petitioners relinquishment from the loan account No.A2204250132 of the 2nd respondent.

For Petitioner(s): Mr.V.Pavel

ORDER

Since no adverse order is passed against the respondents, notice to the respondents stands dispensed with.

2.Challenging the closure of complaint of the petitioner seeking removal of petitioner from the loan account vide RBI/CMS/N202526006010880/2025-26 dated 17.02.2026 by the 1st Respondent and consequently for a direction directing the 2nd Respondent to grant petitioners relinquishment from the loan account No.A2204250132 of the 2nd Respondent, the present writ petition has been filed.

3. It is the case of the petitioner that petitioner has entered into an educational loan agreement for his son with the second respondent on 29.07.2022 by mortgaging his property. Thereafter, due to family disputes and financial commitment, the petitioner sent a letter on 03.10.2025 seeking rescission from the agreement and to release the petitioner from loan account and this led to leading of passing of the impugned order. Challenging the said order and for a consequential direction to the 2nd respondent for granting petitioners relinquishment from the loan account No.A2204250132, the present writ petition has been filed.

4. The learned counsel for the petitioner submitted that the petitioner entered into educational loan from the second respondent and since, the third respondent is paying the educational loan regularly, there is no impediment for the second respondent from releasing the petitioner from the loan account, hence, accordingly, seeks for a direction to the second respondent.

5. Heard the learned counsel for the petitioner and perused the materials placed on record.

6. Admittedly, the facts of the present case are not in dispute. The petitioner along with the third respondent have borrowed the educational loan by executing some documents to the second respondent, however, now, the petitioner has sought from the second respondent to discharge the petitioner from the loan account, however, the same was refused by the second respondent and the complaint as against the second respondent was also closed by the first respondent on the ground that the petitioner is a co-borrower along with the third respondent for the loan account.

7. Considering the fact that the petitioner is also a co-borrower for his son Nithish Kanna/third respondent who had borrowed the loan amount from the second respondent and outstanding amount is still pending, the petitioner is still liable and he cannot be discharged of his liability. Therefore, no orders can be passed in favour of the petitioner as prayed for in this writ petition.

8. Accordingly, this writ petition is dismissed with liberty to the petitioner to approach the respondents as and when the borrower discharges the entire loan amount which remains to be paid. No costs. Consequently, connected miscellaneous petitions stand closed.

15-04-2026

dhk
Index:Yes/No
Speaking/Non-speaking order
Internet:Yes

Neutral Citation:Yes/No
To

The Ombudsman
Reserve Bank of India, RBI Building
2nd Floor, Fort Glacis, 16 Rajaji Salai,

M.DHANDAPANI J.

dhk

WP No. 13755 of 2026

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