



W.P.(MD) No.14328 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.05.2026

CORAM:

**THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY
and
THE HONOURABLE MS.JUSTICE R.POORNIMA**

**W.P(MD)No.14328 of 2026
and
WMP(MD)No.10755 of 2026**

Anandhi

... Petitioner

Vs.

1.The District Collector
Pudukkottai District.

2.The Superintendent of Police
Pudukkottai District.

3.The Inspector of Police
Mathur Police Station
Pudukkottai District.

4.The Sub Inspector of Police
Mandaiyur Police Station
Pudukkottai District.



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5.The Authorized Officer
Jana Small Finance Bank Ltd.
No.28/36, First Floor, South West Boag Road,
T.Nagar,
Chennai - 600 017.

...Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondents to forward the petitioner's representation dated 16.05.2026 to the Ombudsman appointed under the Tamil Nadu Money Lending Entities (Prevention of Coercive Actions) Act, 2025 for enquiry and amicable settlement.

For Petitioner : Mr.P.Ganapathi Subramanian

For Respondents : Mr.A.Baskaran - for R1

Special Government Pleader

Mr.T.Senthil Kumar - for R2 to R4

Additional Public Prosecutor

ORDER

(Order of the Court was made by D.Bharatha Chakravarthy, J.)

This writ petition is filed to forward the representation of the petitioner dated 16.05.2026 to the Ombudsman appointed under the Tamil Nadu Money Lending Entities (Prevention of Coercive Actions) Act, 2025 for enquiry and amicable settlement.



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2. The learned counsel for the petitioner would point out to the various averments made in the affidavit, whereby the petitioner had made the best efforts to make payments and in spite thereof exorbitant amount is demanded and the transaction is not completed by the fifth respondent, therefore, the present enquiry is sought for on behalf of the petitioner.

3. The learned counsel for the petitioner by relying upon Section 3 of the Act, with reference to the definition for the term “Money Lending Entity” would submit that the 5th respondent institution would fall within the said definition and therefore, the enquiry should be ordered.

4. We have considered the said submission made on behalf of the learner counsel for the petitioner.

5. The definition as contained in Section 3 (h) of the Act is extracted hereunder, for ready reference :

“3(h) “money lending entity” includes any micro finance institution or money lending agency or money lending organisation or partnership firm or person or group of



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persons or digital lending platform or any other entity involved in money lending activities by whatever name it may be called, whose main or incidental activity is to lend money and recover it.

Explanation.— For the purpose of this clause,—“

6. It may be true that the 5th respondent would come within the definition, but, however, it is to be noted that Section 2 excludes the applicability of the Act completely with reference to Banks. Section 2 of the Act is extracted hereunder :

“2. This Act shall apply to all money lending entities functioning in the State of Tamil Nadu except Banks, Non-Banking Financial Companies registered with the Reserve Bank of India, Co-operative Banks and Co-operative societies:

Provided that the provisions of this Act relating to ‘coercive action’ against the borrower shall apply to the aforesaid Banks, Non-Banking Financial Companies registered with the Reserve Bank of India, Co-operative Banks and Co-operative societies”

Thus, it can be seen that though an entity can be a money lending entity, still if that entity is a bank, the Act is not applicable.



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7. The learned counsel would place reliance on the proviso to Section 2 extracted above. The proviso would only related to Non-Banking Financial company. As far as the present case is concerned, the 5th respondent is Jana Small Finance Bank Limited and from the communications that are annexed, it is claimed that the 5th respondent is a scheduled commercial bank.

8. In view thereof, the provisions of the Act is not applicable, keeping open the liberty of the petitioner to seek remedies that are permissible under law, this prayer in the present writ petition cannot be countenanced and as such this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

(D.B.C., J.) (R.P., J.)
20.05.2026

Index : Yes /No
Internet : Yes / No
NCC : Yes /No
rm



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