IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-02-2026

CORAM

THE HON'BLE MR JUSTICE R. SURESH KUMAR

AND

THE HON'BLE MR.JUSTICE SHAMIM AHMED

WP No. 4910 of 2026 AND
WMP Nos. 5481 and 5483 OF 2026

Yuvarani
W/o.Prakash,
Door No.25C-4/ 38, New Street,
Kavudampalayam @ Kumaramangalam Post,
Thiruchengode Taluk, Namakkal District-637 205.

..Petitioner

Vs

1. The Hon'ble Ombudsman
   C/o.Reserve Bank of India,
   Fort Glacis, Chennai-600 001.

2. The Honble Ombudsman,
   Fathima Akthar Court,
   4th Floor, 453 (Old 312) Anna Salai,
   Teynampet, Chennai-600 018

3. The Authorized officer
   AU Small Finance Bank Limited,
   19-A, Dhuleshwar Garden, Ajmer road,
   Jaipur-302001, Rajasthan,
   Correspondence address-
   AU Square B 11-E, Malviya Nagar,
   Industrial Area, Jaipur 302017 Rajasthan.

..Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus to call for records in RBI/ CMS/ N20252623164673/ 2025-26 dated 16.10.2025 on the file of the 1st respondent and quash the same and direct the 1st respondent to re-open the petitioners complaint in N202526023164673 on the file of the 1st respondent by considering the reply field by the petitioner dated 12.08.2025 and to conduct fresh enquiry.

For Petitioner : Ms.N.Nasreen Fathima

<u>Order</u>
(Order of the Court was made by R.Suresh Kumar J.)

The prayer sought for herein is for a Certiorarified Mandamus to call for records in RBI/ CMS/ N20252623164673/ 2025-26 dated 16.10.2025 on the file of the 1st respondent and quash the same and direct the 1st respondent to re-open the petitioners complaint in N202526023164673 on the file of the 1st respondent by considering the reply field by the petitioner dated 12.08.2025 and to conduct fresh enquiry.

2. The writ petitioner secured a loan from the third respondent bank and the same after some time has become overdue and therefore has been made as a Non-Performing Asset (In short 'NPA'). Therefore, proceedings under SARFAESI Act has been initiated by the bank by issuance of a notice under Section 13(12) of the Act. Since the said notice has not been responded and the amount due as demanded under Section 13(2) notice was not paid, further proceedings were initiated including the proceedings under Section 14 of the Act.

3. At that juncture, instead of either wiping of the amount by paying the entire due or approaching the Debts Recovery Tribunal by filing an application under Section 17 of the SARFAESI Act, the petitioner had given a complaint to the second respondent ie., Ombudsman of Reserve Bank of India and the said complaint having been considered after getting a reply from the bank, was rejected through the impugned order dated 16.10.2025.

4. Heard Ms.N.Nasreen Fathima, learned counsel for the petitioner. We have gone through the order impugned, where the complaint given by the petitioner having been referred to the bank, their reply was sought for and they have given a reply stating that the loan obtained by the petitioner having become overdue has become NPA, pursuant to which SARFAESI proceedings was initiated. The impugned order contains all the details given by the bank such as, what was the amount due, when the petitioner had become overdue and at what stage the SARFAESI proceedings were initiated etc., Having considered the same, the Ombudsman has come to the conclusion that there is no procedural violation in proceeding against the petitioner for recovering the loan amount which became NPA. That is the reason why the complaint given by the petitioner has been rejected by the Ombudsman through the impugned order.

5. We do not find error in the said approach of the Ombudsman and therefore the order impugned is liable to be sustained. As a result, the writ petition fails and the same is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

(R.S.K.,J.) **(S.S.A.,J.)**
19-02-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

KST

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