APHC010558022026

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

FRIDAY, THE 16th DAY OF OCTOBER 2026

PRESENT:THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI

WRIT PETITION NO: 30421/2026

Between:

1. PALLERLA RAMESH REDDY, S/O. PALLERLA JAYARAMI REDDY, AGED ABOUT 50 YEARS, OCC. BUSINESS, R/O. H.NO.1-85, KANDLAGUNTA (V AND PO.), NAGULUPPALAPADU (M), PRAKASAM DISTRICT - 523 183.

...PETITIONER

AND

1. THE UNION OF INDIA, REP. BY ITS SECRETARY, MINISTRY OF FINANCE, DEPARTMENT OF FINANCIAL SERVICES, JEEVAN DEEP BUILDING, SANSAD MARG, NEW DELHI - 110 001.
2. THE RESERVE BANK OF INDIA, REP. BY ITS GOVERNOR, CENTRAL OFFICE, SHAHID BHAGAT SINGH ROAD, FORT, MUMBAI - 400 001.
3. THE REGIONAL DIRECTOR, RESERVE BANK OF INDIA, ANDHRA PRADESH REGIONAL OFFICE, 'STALIN CENTRAL', D.NO.27-37-158, M.G. ROAD, GOVERNORPET, VIJAYAWADA, NTR DISTRICT - 520 002.
4. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY TO GOVERNMENT, HOME DEPARTMENT, A.P. SECRETARIAT, VELAGAPUDI, AMARAVATI, GUNTUR DISTRICT - 522 238.
5. THE SUPERINTENDENT OF POLICE, PRAKASAM DISTRICT, ONGOLE - 523 001.

6. THE STATION HOUSE OFFICER, NAGULUPPALAPADU POLICE STATION, NAGULUPPALAPADU (M), PRAKASAM DISTRICT - 523 183.

7. RBL BANK LIMITED, REP. BY ITS MANAGING DIRECTOR AND CEO, ONE WORLD CENTER, TOWER 2B, 6TH FLOOR, 841, SENAPATI BAPAT MARG, LOWER PAREL (W), MUMBAI - 400 013.

8. HDFC BANK LIMITED, REP. BY ITS MANAGING DIRECTOR AND CEO, HDFC BANK HOUSE, SENAPATI BAPAT MARG, LOWER PAREL (W), MUMBAI - 400 013.

9. AXIS BANK LIMITED, REP. BY ITS MANAGING DIRECTOR AND CEO, AXIS HOUSE, C-2, WADIA INTERNATIONAL CENTRE, PANDURANG BUDHKAR MARG, WORLI, MUMBAI - 400 025.

10. INDUSIND BANK LIMITED, REP. BY ITS MANAGING DIRECTOR AND CEO, ONE INDIABULLS CENTRE, TOWER 1, 8TH FLOOR, 841, SENAPATI BAPAT MARG, ELPHINSTONE ROAD (W), MUMBAI - 400 013.

11. SBI CARDS AND PAYMENT SERVICES LIMITED, REP. BY ITS MANAGING DIRECTOR AND CEO, DLF INFINITY TOWERS, TOWER-C, 12TH FLOOR, BLOCK-2, BUILDING-3, DLF CYBER CITY, GURUGRAM, HARYANA - 122 002.

...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 toissue a Writ, Order or direction more particularly one in the nature of Writ of Mandamus A. declaring the action of the respondents 7 to 11, their recovery agents, collection agencies and representatives, in making incessant, repeated, threatening, abusive and anonymous telephone calls to the petitioner and to his family members and relatives from early morning till late night, and in threatening to visit his residence, for recovery of the dues on the credit cards bearing Nos. XXXX 9984 (7th respondent), XXX 0257 (8th respondent), XXXX 9991 and XXXX 1550 (9th respondent), XXXX 8618 (10th respondent) and XXXX 4411, XXXX 1619 and)000(5345 (11th respondent) issued to the petitioner, without resorting to the recovery procedure known to law, as illegal, arbitrary, contrary to the Reserve Bank of India (Credit Card and Debit Card - Issuance and Conduct) Directions and Circulars and the Fair

Practices Code for Lenders, and violative of Articles 14 and 21 of the Constitution of India and consequently B. direct the respondents 7 to 11, their recovery agents, collection agencies and representatives, to desist from calling, threatening, abusing or visiting the petitioner, his family members and relatives, and to recover their dues, if any, only through the procedure established by law C. Further direct the respondents 2 and 3 to enforce the said Directions and Circular against the respondents 7 to 11 and to take appropriate action against them for the violation thereof D. Further direct the respondents 5 and 6 to receive and act upon the complaint of the petitioner in accordance with law and to afford adequate protection to the petitioner and his family members from the recovery agents of the respondents 7 to 11 E. Further direct the respondents 7 to 11 to consider the request of the petitioner for one time settlement / restructuring of the credit card dues in accordance with their Board approved policy, within a time to be fixed by this Hon'ble Court

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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 direct the respondents 7 to 11, their recovery agents, collection agencies, representatives, not to make any telephone calls to the petitioner, his family members and relatives before 8:00 a.m. and after 7:00 p.m., more particularly in threatening, abusive or anonymous calls, visit the residence of the petitioner, adopt any coercive method for recovery of the credit card dues otherwise than in accordance with law, pending disposal of the writ petition

Counsel for the Petitioner:

1. C B ADARSH KUMAR

Counsel for the Respondent(S):

1. GP FOR HOME
2.

ORDER

This Writ Petition is filed questioning the action of the respondent nos.7 to 11 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 them 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.B.Adarsh Kumarr, learned counsel for petitioner, and the learned Assistant Government Pleader for Home.

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.7 to 11 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. Accordingly, the writ petition is ***disposed of.*** However, the respondent nos. 7 to 11 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

15th October, 2026
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