

**IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION**

WRIT PETITION (CIVIL) NO.479 OF 2026

S. GAYATHIRI

...PETITIONER (S)

VERSUS

THE STATE OF TAMIL NADU & ORS.

...RESPONDENT(S)

O R D E R

1. The present petition has been instituted under Article 32 of the Constitution of India, wherein the Petitioner seeks issuance of various writs and directions, *inter alia*, for framing guidelines in cases of alleged loan defaults involving unlicensed money-lenders, for strict enforcement of the Tamil Nadu Money Lenders Act, 1957, and for strengthening institutional safeguards to protect borrowers from unlicensed money-lenders.
2. The factual backdrop, however, reveals that the Petitioner stands convicted for an offence punishable under Section 138 of the Negotiable Instruments Act, 1881, by judgment dated 23rd August, 2017 of the Trial Court, whereby she was sentenced to simple imprisonment for one year and directed to pay compensation of Rs.18,00,000/- (Rupees eighteen lakhs only) with 6% interest. The conviction and sentence were affirmed in appeal by the Sessions Court on 25th February, 2020, and the Criminal Revision against the same

was dismissed by the High Court on 10th July, 2024. It is not in dispute that the Petitioner deposited the cheque amount of Rs.18,00,000/-, albeit without the interest component. Thereafter, in proceedings arising out of SLP (Crl.) No. 1558 of 2025, this Court, by order dated 9th March, 2026, granted limited indulgence by setting aside the sentence of imprisonment subject to deposit of an additional sum of Rs.18,00,000/- towards interest on the reasoning that interest cannot ordinarily exceed the principal, thereby modifying the order of the Trial Court to that extent.

3. Notwithstanding the culmination of the criminal proceedings and the grant of substantive relief by this Court, the Petitioner has now invoked the extraordinary jurisdiction under Article 32, seeking to reopen the controversy on an altogether new footing by contending that Respondent No. 2 is an unlicensed money-lender and that the underlying transaction is, therefore, unenforceable. This Court is constrained to observe that such an attempt is nothing but a manifest abuse of the process of law. The Petitioner, having availed of the entire hierarchy of remedies, including indulgence from this Court, cannot be permitted to reagitate issues, whether directly or indirectly, under the guise of a writ petition. The conduct of the Petitioner reflects a calculated attempt to unsettle concluded findings and to

evade the legal consequences of a conviction that has attained finality.

4. In light of the foregoing, we are satisfied that the present petition is a clear misuse of the process of this Court and is wholly misconceived. The writ petition is, accordingly, dismissed. Given the conduct of the Petitioner, costs of Rs. 1,00,000/- (Rupees One Lakh only) are imposed. The said costs shall be deposited with the Registry of this Court within a period of six weeks from the date of this order. The amount so deposited shall be transmitted to the accounts of Supreme Court Bar Association (SCBA) and Supreme Court Advocates' On Record Association (SCAORA) in equal shares within two weeks of the deposit.

.....**J.**
[VIKRAM NATH]

.....**J.**
[SANDEEP MEHTA]

NEW DELHI;
APRIL 24, 2026

ITEM NO.17

COURT NO.2

SECTION X

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Writ Petition(s)(Civil) No(s). 479/2026

S. GAYATHIRI

Petitioner(s)

VERSUS

THE STATE OF TAMIL NADU & ORS.

Respondent(s)

FOR ADMISSION

IA No. 115234/2026 - GRANT OF INTERIM RELIEF

Date : 24-04-2026 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE VIKRAM NATH
HON'BLE MR. JUSTICE SANDEEP MEHTA

For Petitioner(s) :Mr. Karan Bharihoke, Adv.
Mr. Devanshu Yadav, Adv.
Mr. Sahil Sharma, AOR

For Respondent(s) : Mr. Gopal Verma, AOR
Mr. Umang Verma, Adv.

UPON hearing the counsel the Court made the following
O R D E R

The writ petition is dismissed in terms
of the signed order.

Paragraph 4 of the order is extracted
below :

*"In light of the foregoing,
we are satisfied that the present
petition is a clear misuse of the
process of this Court and is
wholly misconceived. The writ*

petition is, accordingly, dismissed. Given the conduct of the Petitioner, costs of Rs. 1,00,000/- (Rupees One Lakh only) are imposed. The said costs shall be deposited with the Registry of this Court within a period of six weeks from the date of this order. The amount so deposited shall be transmitted to the accounts of Supreme Court Bar Association (SCBA) and Supreme Court Advocates' On Record Association (SCAORA) in equal shares within two weeks of the deposit."

Pending application(s), if any, shall stand disposed of.

(SONIA BHASIN)
ASSISTANT REGISTRAR-CUM-PS

(RANJANA SHAILEY)
ASSISTANT REGISTRAR

[Signed order is placed on the file]