



2024:KER:21394

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE DEVAN RAMACHANDRAN

MONDAY, THE 18TH DAY OF MARCH 2024 / 28TH PHALGUNA, 1945

WP(C) NO. 5339 OF 2024

PETITIONER:

K VENUGOPAL NAIR, AGED 56 YEARS
PROPRIETOR: VEGINI CONVENTION CENTRE, ALAYAMON, ANCHAL
RESIDING AT GOKUL HOUSE ALAYAMON P.O, ANCHAL, ALAYAMON,
KOLLAM., PIN - 691306

SYAM J SAM
MEERA BABU

RESPONDENTS:

- 1 MANAGER ,CANARA BANK, BLDG ANP-LL-747 THOMSON
DRIVE -IN SHOPPING CENTRE, COLLEGE JUNCTION,
ALAYAMON P O, ANCHAL, KERALA, PIN - 690518
- 2 REGIONAL MANAGER, CANARA BANK REGIONAL OFFICE, SPENCER
BLDG, LLL FLOOR, MAHATMA GANDHI RD,
THIRUVANANTHAPURAM, KERALA, PIN - 695001
- 3 TRANS UNION CIBIL LIMITED
ONE INDIABULLS ,19TH FLOOR, TOWER 2A- 2B, SENAPATI
BAPAT MARG, ELPHINSTONE ROAD, MUMBAI, PIN - 400013
- 4 BANKING OMBUDSMAN, C/O RESERVE BANK OF INDIA , BAKERY
JUNCTION, THIRUVANTHAPURAM,, PIN - 695033

BY ADV C.Ajith Kumar
SRI.M.GOPIKRISHNAN NAMBIAR
SHRI.MATHEWS J.NEDUMPARA, SC,

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
18.03.2024, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:



JUDGMENT

The petitioner says that even though he paid off the loan facility, which he had earlier availed from the Canara Bank - his "Credit Rating" continues to be very low and it is so maintained by the third respondent - Trans Union Cibil Limited. He thus prays that the third respondent be directed to restore his "Credit Rating" to the levels entitled, adverting to the fact that he has no subsisting loan and that the earlier one has been fully closed.

2. Interestingly, in response to the afore submissions of Sri.Syam J.Sam - learned counsel for the petitioner, Sri.M.Gopikrishnan Nambiar appearing for the first respondent, conceded that the account of the petitioner has been closed and that this factum has been updated on the online site of the third respondent. He submitted that, therefore, it is now for the said respondent to restore the "Credit Rating" of the petitioner, to the requisite level as may be legally warranted.

3. Sri.C.Ajith Kumar - learned standing counsel for the third respondent, however, submitted that his client has taken up the matter with the first respondent and is awaiting further instructions.



4. In view of the afore, I dispose of this writ petition with the following directions:

(a) The third respondent will immediately advert to all the reports made by the Canara Bank on the online portal; and thus take a decision on the “Credit Rating” of the petitioner, within a period of three weeks from the date of receipt of a copy of this judgment.

(b) During the afore process, if the third respondent requires any further inputs to be given by the Canara Bank, it will be at liberty to requisition them for such purpose, in which event, the fore time frame will stand extended by a further period of one month.

(c) Through the afore exercise, the third respondent will ensure that the requisite “Credit Rating” is given to the petitioner and reflected in the online portal within the afore time frames.

(d) Needless to say, I have not entered into the request of the petitioner for a direction to the Banking Ombudsman and all such issues are left open to be impelled in future, if it becomes required after the afore exercise is completed; for which



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purpose, all rival contentions in that regard are also left undecided.

Sd/- DEVAN RAMACHANDRAN

JUDGE

stu



APPENDIX OF WP(C) 5339/2024

PETITIONER EXHIBITS

- Exhibit P1 THE TRUE COPY OF THE LOAN SANCTION COMMUNICATION ISSUED BY RESPONDENT BANK ON 22/09/2022
- Exhibit P2 . THE TRUE COPY OF THE SITE APPROVAL AND BUILDING PERMIT ISSUED FROM THE ALAYAMON GRAMA PANCHAYAT DATED 17/05/2022
- Exhibit P3 THE TRUE COPY OF THE BANK STATEMENT ISSUED ON 01/1/2024
- Exhibit P4 A TRUE COPY OF THE CONFIRMATION LETTER, PROVIDED BY THE RESPONDENT BANK IN RESPONSE TO THE PETITIONER'S REQUEST ON THE 29/12/2023
- Exhibit P5 THE TRUE COPY OF THE REPORT DATED 08/01/2024
- Exhibit P6 THE TRUE COPY THE COMPLAINT TRACKING AND COMPLAINT DATED DATED 18/01/2024
- Exhibit P7 THE TRUE COPY OF THE COMPLAINT TRACKING AND COMPLAINT DETAILS DATED 01/02/2024