Consumer Grievance Assistance Chatbot: Hi! I am your consumer grievance assistance tool. Kindly let me know how I can help you.

Mr. Arunkumar: I need help filing a consumer complaint against my bank and my business partner for deficiency in service. Can you guide me through the process?

Consumer Grievance Assistance Chatbot: Sure, Can you please elaborate details of your situation. Furthermore, please confirm your name and contact information?

Mr. Arunkumar: My name is S. Arunkumar and my address is No.10, Meenatchi Nagar, TVS Colony, Hasthampatty, Salem-636007. My phone number is 9876543210.

Consumer Grievance Assistance Chatbot: Thank you for providing that. Now, can you explain a little bit about your business and partnership first? This will help provide important context.

Mr. Arunkumar: Yes, of course. I have a partnership firm named M/s Srinivasa Agencies that is involved in the wholesale business of medicines. Business is my source of livelihood. My partner in the firm is Mr. R. Kannappan who holds a 10% stake while I hold a 90% stake.

Consumer Grievance Assistance Chatbot: Okay, and when did you start this partnership firm? Also, what does your partnership agreement say regarding things like bank accounts and operations?

Mr. Arunkumar: We executed the partnership agreement on 1st January 2017. As per clause number 9 of that agreement, only I have been authorised to open and independently operate bank accounts on behalf of our firm.

Consumer Grievance Assistance Chatbot: Great, that's an important clause. Now could you please explain what issue you have faced that requires filing a consumer complaint?

Mr. Arunkumar: Sure. My firm holds a current account with HDFC Bank's Salem Main branch located at D.No.5/241, F.Meyyanur, Rathna Arcade, Five Roads, Salem-636004. This is the Opposite Party No. 1 in my complaint. In 2018, I came to know that without verifying documents or checking our partnership agreement, the HDFC branch provided my partner Mr. Kannappan with a swiping machine in my firm's name 'M/s Srinivasa Agencies'.What's worse is they linked this swiping machine to Mr. Kannappan's personal bank account no. 500200031053271 with them. Taking advantage of this, he swindled and misused firm funds amounting to Rs. 10 lakhs approximately between July 2, 2018 and June 10, 2019. I see this as gross negligence by the bank.

Consumer Grievance Assistance Chatbot: The bank should have cross verified the partnership deed before providing your partner with the swiping machine and linking it with his personal bank account. This is gross negligence and amounts to deficiency of service. You may consider sending a legal notice to the bank and your partner.

User: Kindly draft a legal notice that I can send to the opposite party.

Consumer Grievance Assistance Chatbot: Can you please provide the address of both the parties

User: The address of the party 1 is The Manager , HDFC Bank, Salem Main Branch, D.No.5/241, F.Meyyanur, Rathna Arcade, Five Roads, Salem-636 004 and the address of the party 2, who is also my partner is R.Kannappan, S/o Ramanathan, 19-2, Perumal Koil Street, Swarnapuri, Salem-636 004.

Consumer Grievance Assistance Chatbot: Here is your [notice](https://docs.google.com/document/d/1m0ucxTO-vrq2vQf4s_WrqFffpEvqSpTczhJb6bIaBAc/edit). Remember to put your signature before you send it in hard copy and put e-signature in case you are sending the soft copy. In case you get any problem in the above process or have any doubt, I would suggest you contact the state consumer helpline at 044-28592828 Call centre Assistants are available between 9-30 AM to 6-00 PM on all working days of Government of Tamil Nadu or you can call the National Consumer Helpline at 1800-11-4000 for information, advice, or guidance on complaints. You can also call 14404 or send a message to 8130009809. You can also register a complaint through the NCH app. Is there anything else you need?

Consumer: What if I don’t get any reply for this notice? What remedy do I have?

Consumer Grievance Assistance Chatbot: You can file a consumer complaint if your problem is not redressed. Do you want me to draft a complaint?

Consumer: Yes, draft a complaint for me.

Consumer Grievance Assistance Chatbot: Before filing a complaint we need to ascertain certain things like jurisdiction. The District Consumer Disputes Redressal Commission situated at Salem, Tamil Nadu is having the pecuniary jurisdiction in the present case as both the parties reside in Salem.

User: Salem works fine for me.

Consumer Grievance Assistance Chatbot: How much loss have you made due to this negligence of the bank and what relief do you want to seek from the court against the other party?

User: Due to the bank's negligence, my firm faced a big financial loss, not to mention immense mental stress. Considering this, I am seeking Rs.40 lakhs as compensation for deficiency in service, plus Rs.5 lakhs for the mental harassment caused. Is this fine?

Consumer Grievance Assistance Chatbot: Noted. I will be sure to include reasonable compensation demand along with litigation costs in the complaint format. You should be able to prove the financial loss by evidence. Do you have documented proof?

User: Yes I have the partnership deed showing stake of partners and bank operation clauses, application form submitted to avail the swiping machine, bank statement showing siphoned off funds, invoices reflecting transactions from misused swiping machine, audited accounts showing discrepancy and the acknowledgement for my legal notice to the bank.

Consumer Grievance Assistance Chatbot: Thank you. On the basis of the documents that you have given me, Here is your [complaint](https://docs.google.com/document/d/15gy8K1PCCvBBg4SXkuVeoIi4JRpI6Qcapk9bz5gHgy0/edit). Please fill in the details that have been left blank, such as the date and your signature. In addition to the complaint, you must also submit an affidavit and a document called the “Memorandum of Parties”. Do you want me to provide you with the pre-filled versions of the same?

Aggrieved Consumer- Yes, it will be great if you can do that as well.

Consumer Grievance Assistance Chatbot: Here is your [affidavit](https://docs.google.com/document/d/1LO7Xwv5dfOCBiJlJX8_1k0cFS2-Yry-s8s3Mg9fWH4A/edit) and [MoP](https://docs.google.com/document/d/1iEu5zpLG-W0g0WITJHWrDLuxZ1YaU-wBQZ9Limh6ZNo/edit). You are required to fill in the details that have been left empty in both the documents. Further, you must get the affidavit notarised. In case of any queries regarding how you can get the Affidavit notarised, feel free to approach me anytime. After filling all the documents and getting the affidavit notarised, you can file your complaint on E-daakhil, the portal for consumer redressal. Do you want me to provide you with a step-by-step guide on how to file your complaint on E-daakhil?

Consumer: Yes, it will be great if you can give me a step-by-step guide on how I can file this.

Consumer Grievance Assistance Chatbot: You have to follow these steps in order to file a complaint:-

1. Create an account on E-daakhil.
2. Verify your email address and login
3. Go to “Consumer Complaint” and accept the terms and conditions by clicking the “accept” button after carefully reading the terms. If you have any queries regarding the terms, please let me know.
4. Click “Consumer Complaint” and enter the claim amount that you are seeking.
5. Select Tamil Nadu as the State and Salem as the district. Click continue to proceed to the “Case Details” page.
6. On the “Case Details” page, enter all the necessary details and in case of any queries, please let me know.
7. In the “Party Name” section, enter the name of the parties. In the “Advocate” Section, enter the details of your advocate and if you do not have an advocate, you can leave it blank.
8. In the “Complaint Section”, you can provide the following as your complaint:-

“Complainant’s contents that the opposite party has breached the partnership agreement by indulging in unfair trade practices and opening the bank account in his name. Further the complaint alleges that the Opposite party 1 bank's negligent issuance of a swiping machine, contrary to the partnership deed, enabled opposite party 2- Kannappan to misappropriate funds. The complaint requests the Salem Consumer Disputes Redressal Commission to direct compensation, award costs, and provide any other suitable relief.

1. In the next section, enter the necessary details and attach a filled copy of the Complaint and the Affidavit along with the Memorandum of Parties.
2. In the next section, verify the details of your complaint and submit your complaint.
3. On the “Pending Complaints” page, you will be required to pay the necessary fees.

Please note that under the Consumer Protection Act 2019, the Consumer Court can request the parties to go for mediation. However, both parties must agree for the matter to be sent for mediation. However, if the parties do not arrive at an amicable settlement, the matter is sent back to the court.

Aggrieved Consumer: Got it. I will not agree for mediation.

Consumer Grievance Assistance Chatbot: In that case, the consumer court in Salem has to proceed with the case.

Aggrieved Consumer: Got it. Thank you very much!

Consumer Grievance Assistance Chatbot: You are welcome. Feel free to raise further queries anytime. Best wishes.