



WP (MD) No.2036 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.07.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

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S.Mareeswari

... Petitioner

Vs

1.The Branch Manager,
Canara Bank,
Sivakasi Branch,
77-78 South Car Street,
Sivakasi, Virudhunagar District,
Tamil Nadu – 626 123.

2.A.Chinnathai

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a writ of certiorarified mandamus directing the respondent to accept the payment of the loan due amount from the petitioner and return the jewels pledged in Gold Loan Account Pass Card No.0921842043813, which is attached to the savings account No.0921131000227 before the 1st respondent bank by considering the petitioner's representation to the respondent dated 30.09.2021.

For petitioners : Mr.J.Thomas Raja Durai

For Respondent : Mr.C.Karthick
No.1

For Respondent : No appearance
No.2



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ORDER

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The petitioner's husband availed loan by pledging the jewels with the respondent bank. Unfortunately he died on 25.08.2020. Thereafter, the petitioner has approached the respondent bank for redemption of the jewels. But the respondent did not return the jewels stating that the petitioner's mother is also a legal heir of the deceased.

2.The petitioner claims that she is the wife of the deceased and she is the nominee in the application for loan and despite the same the respondent bank did not return the jewels though she is prepared to settle the amount with interest. Since the respondent bank did not consider the request of the petitioner, she has filed this writ petition on 27.01.2022.

3.The learned Counsel appearing for the respondent bank submits that they have brought the jewels for auction, the petitioner has participated in the auction, the petitioner was selected as successful bidder and they are prepared return the jewels on or before 27.07.2023.



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4.It appears that pending the writ petition, the respondent bank has auctioned the jewels and the manner in which, the jewels were brought under auction not proper. However, recording the submission made by the respondent bank that they would return the jewels to the writ petitioner, this writ petition is closed. No costs.

25.07.2023

NCC : Yes / No

Internet : Yes / No

Index : Yes / No

dsk

To
The Branch Manager,
Canara Bank,
Sivakasi Branch,
77-78 South Car Street,
Sivakasi, Virudhunagar District,



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B.PUGALENDHI, J.

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