



W.P(MD)No.13218 of 2015

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 17.07.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.13218 of 2015

Rajammal

... Petitioner

Vs.

**The Branch Manager,
Indian Overseas Bank,
NO.107/4 Main Road,
Avanathankottai Post,
Aranthangi Taluk,
Pudukkottai District.**

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondent to release the jewels pledged by the petitioner's husband late Subbaiah to the petitioner at once.

For Petitioner : Mr.P.Gnanapathi Subramanian

For Respondent : Mr.N.Dilipkumar

ORDER

Heard the learned counsel on either side.



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2. One Subbiah had availed jewel loan from the respondent bank.

He passed away. The petitioner is his wife. When she sought redemption of the jewels, the bank had insisted that the petitioner must obtain No Objection from all the other legal heirs. Since during the relevant time, the sons of the deceased borrower were abroad, the present writ petition came to be filed.

3. The stand taken by the bank cannot be faulted.

4. The learned counsel appearing for the petitioner states that she would comply with all the banking formalities. The moment the petitioner is able to produce No Objection letters from the other legal heirs and the respondent is also satisfied about their genuineness, the pledged jewels shall be returned to the petitioner without delay. The petitioner has to necessarily comply with all the necessary banking formalities such as execution of indemnity bond.

5. The Writ Petition is disposed of accordingly. No costs.

17.07.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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G.R.SWAMINATHAN, J.

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