



W.P(MD)No.24953 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 16.10.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.24953 of 2023

Nagavalli

... Petitioner

Vs.

1.The Regional Manager,
Tamil Nadu Grama Bank,
Regional Office,
Teacher's Colony,
Chinnamani Nagar,
Thoothukudi – 628 008.

2.The Branch Manager,
Tamil Nadu Grama Bank,
Sayalkudi,
Kadaladi Taluk,
Ramanathapuram District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to return the jewels to the petitioner which was pledged by the petitioner's sister namely (Late).Murugavalli died on 25.06.2021 in Jewel Loan Account Nos.10111165099 and Account No.10113698366



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within stipulated time fixed by this Court base on the petitioner's representation dated 25.07.2023.

For Petitioner : Mr.K.Muthu Ilayaraja

For Respondents : Mr.N.Dilipkumar

ORDER

Heard both sides.

2. One Murugavalli had pledged the petition mentioned jewels with the second respondent. She passed away. It was the petitioner who cleared the loan liability. She wants the jewels back. Since the Bank did not hand over the jewels to the petitioner, the present writ petition came to be filed.

3. Murugavalli's husband had predeceased her. Murugavalli's father also passed away on 17.08.2021. The learned counsel appearing for the petitioner states that Murugavalli's children are now under the care and custody of the petitioner. Since it was the petitioner who cleared the loan liability, considering the special facts and circumstances



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of this case, the respondents are directed to hand over the jewels to the petitioner. The petitioner will file an affidavit before the second respondent listing out who are all the legal heirs of the deceased Murugavalli. If there is any other legal heir, his or her consent must be obtained. The petitioner will also execute an indemnity bond. The second respondent need not have any cause for worry because handing over of jewels is going to take place only pursuant to the direction given by this Court.

4. Subject to the fulfillments of the aforesaid formalities, this writ petition is allowed. There shall be no order as to costs.

16.10.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No

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G.R.SWAMINATHAN, J.

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