

W.P.(MD)No.14963 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **05.06.2026**

CORAM

THE HONOURABLE MR.JUSTICE HEMANT CHANDANGOUDAR

W.P(MD) No. 14963 of 2026

Usha

.. Petitioner

- Vs. -

1. The Regional Manager,
Canara Bank,
Madurai District,
Madurai.

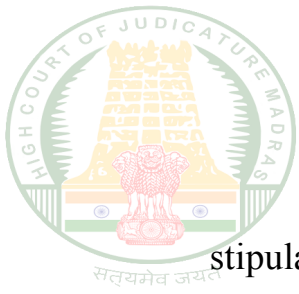
2. The Branch Manager,
Canara Bank,
Usilampatti Branch,
Madurai District
Madurai.

3. Ramanathan

.. Respondent

Prayer : Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of MANDAMUS directing the 2nd respondent Canara Bank to permit petitioner to release petitioner Gold Jewels in the petitioner's husband's name as the petitioner is the Nominee appointed by the petitioner's husband/3rd respondent on paying the Principal as well as the interest as on date and to hand over the Gold Jewels to petitioner immediately without any condition based on the petitioner's representation dated 17.11.2025 within the time limit

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stipulated by this Court.

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For Petitioner(s) : Mr.P.Veerapandi

For Respondent(s) : Mr. C.Karthick
Standing Counsel for R1 and R2

ORDER

The petitioner is before this Court seeking a writ of mandamus directing the second respondent–Canara Bank to release the gold jewels pledged by her husband, the third respondent, by considering her representation dated 17.11.2025. The petitioner contends that she has been nominated by the third respondent in respect of the gold loan accounts and is willing to discharge the entire outstanding liability, including the principal and accrued interest.

2. Learned Standing Counsel appearing for respondents 1 and 2 submits that, pursuant to a complaint lodged by the petitioner regarding the whereabouts of the third respondent, the jurisdictional police have closed the complaint recording that the whereabouts of the third respondent could not be ascertained. In view of the said submission and having regard to the nature of the relief sought, service of notice on the third respondent is dispensed with.



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3. The grievance of the petitioner is that despite being the nominee of the third respondent and despite expressing her readiness and willingness to clear the entire loan liability, the second respondent has not considered her request for release of the pledged gold jewels.

4. It is not in dispute that the third respondent had availed gold loans from the second respondent Bank by pledging certain gold jewels as security. It is also not in dispute that the petitioner has been nominated by the third respondent in respect of the said loan accounts. The petitioner asserts that the third respondent has been missing for a considerable period and that his whereabouts remain unknown. In these circumstances, she seeks release of the pledged jewels upon settlement of the entire dues payable to the Bank.

5. Learned counsel appearing for the second respondent Bank submits that the gold jewels were pledged by the third respondent as security for repayment of the loan amounts and that the loan accounts continue to remain outstanding. It is therefore contended that unless the entire liability due under the loan accounts is discharged, the Bank cannot be compelled to release the pledged jewels.



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6. The submission of the Bank that the pledged articles cannot be released without closure of the loan accounts deserves acceptance. At the same time, it is not disputed that the petitioner is the wife of the third respondent and has been nominated by him. It is further not in dispute that the whereabouts of the third respondent are presently unknown. The Bank does not dispute the petitioner's willingness to liquidate the entire outstanding liability under the loan accounts.

7. In the aforesaid circumstances, this Court is of the considered view that the interests of all parties would be adequately safeguarded if the petitioner is permitted to discharge the entire loan liability and seek release of the pledged jewels. Since the Bank's security interest would stand fully satisfied upon payment of the outstanding dues, no prejudice would be caused to the Bank by directing release of the jewels, subject to appropriate safeguards.

8. Accordingly, the writ petition is disposed of directing the second respondent Bank to consider the petitioner's representation dated 17.11.2025 and release the pledged gold jewels to the petitioner, subject to:



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(i) the petitioner clearing the entire outstanding liability under the gold loan accounts, together with all applicable interest and charges as on the date of payment; and

(ii) the petitioner executing an indemnity bond indemnifying the Bank against any future claims, disputes or liabilities arising in relation to the pledged jewels or the loan accounts.

9. Upon compliance with the aforesaid conditions, the second respondent shall release the pledged gold jewels to the petitioner within a period of one week from the date of closure of the loan accounts and execution of the indemnity bond.

10. With the above directions, the writ petition stands disposed of. There shall be no order as to costs.

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Index :Yes / No
NCC :Yes / No
PJJ



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To

1. The Regional Manager,
Canara Bank, Madurai District,
Madurai.
2. The Branch Manager,
Canara Bank,
Usilampatti Branch, Madurai District
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HEMANT CHANDANGOUDAR, J.

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