

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 16.02.2015

CORAM

THE HONOURABLE MR. JUSTICE T.S.SIVAGNANAM

WP.No.3783 of 2015

Chitra .. Petitioner
Versus

The Senior Manager
Indian Overseas Bank
Mettupalayam
Coimbatore District. ... Respondents

Writ petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus directing the respondent to return the jewels which was pledged by the petitioner's husband bearing Jewel Loan No.131101358 to the petitioner.

For Petitioner : Mr.M.N.Balakrishnan

ORDER

Heard Mr.M.N.Balakrishnan, learned counsel appearing for the petitioner.

2. The petitioner seeks for the issuance of a writ of mandamus to direct the respondent to return the jewels which was pledged by the petitioner's husband bearing Jewel Loan No.131101358 to the petitioner.

3. According to the petitioner, her husband obtained jewel loan from the respondent-Bank and the same has been repaid also. However, as he is in coma stage, he could not move anywhere and get back the jewel. Hence, the present writ petition seeking the aforesaid prayer.

4. On a perusal of the typed set of papers, it is seen that no records have been placed before this Court to show that the petitioner's husband is in coma stage and he is unable to move anywhere. However, this will not preclude the petitioner from approaching the respondent-Bank with appropriate medical records for getting the jewel back.

5. In the light of the above, there will be a direction to the petitioner to approach the respondent-Bank for return of the jewellery with all the medical records pertaining to her husband by way of representation along with a copy of this order. On such representation being made, the respondent-Bank shall deal with the same in accordance with law.

6. With the above observation, this writ petition is disposed of. No costs.

Sd/-

Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

vj2

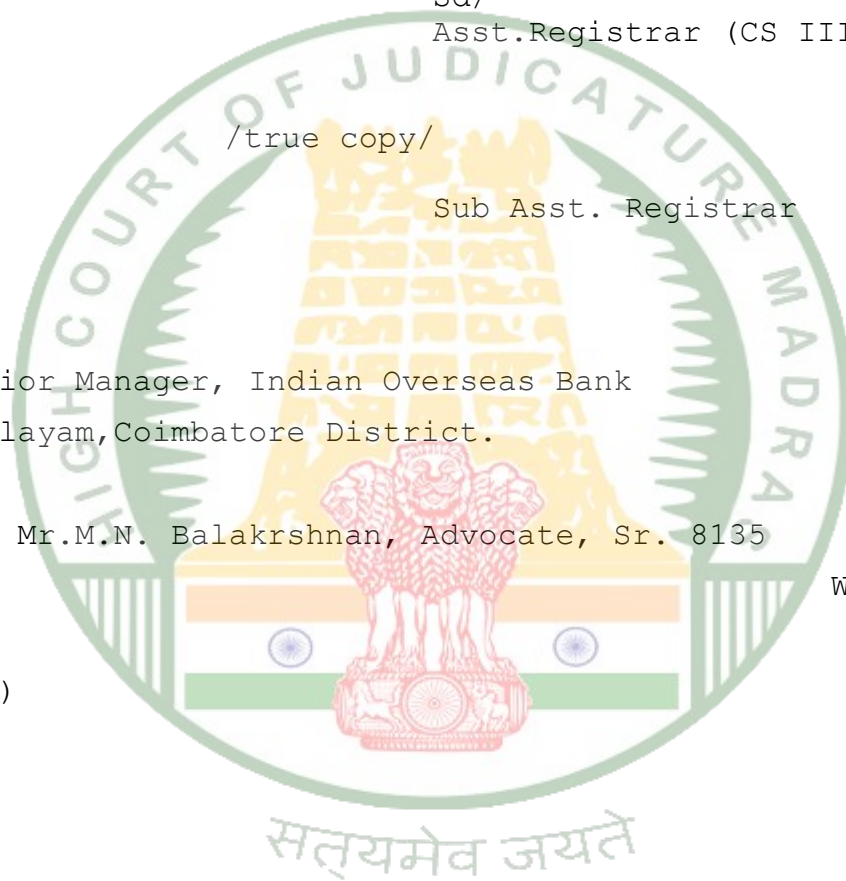
To

The Senior Manager, Indian Overseas Bank
Mettupalayam, Coimbatore District.

1 cc to Mr.M.N. Balakrishnan, Advocate, Sr. 8135

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