



BEFORE THE MADURAI BENCH OF MADRAS HIGH Court

DATED: 05.07.2021

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

WEB COPY

W.P. (MD)No.10979 of 2021
(Through Video Conferencing)

A.Meenakshisundaram

... Petitioner

Vs.

1.The Manager
Bank of Baroda
Madurai Main Branch
Madurai.

2.The Regional Manager,
Bank of Baroda
Aparna Towers
Byepass road,
Ponmeni
Madurai

... Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to direct the respondent No.1 to consider the request made by the petitioner dated 12.05.2021.

For Petitioner
For Respondents

:Mr.S.Palpandi
:Mr.A.Srinivasan for R1

ORDER

This writ petition has been filed for the issue of a writ of mandamus directing the first respondent to consider the representation made by the petitioner on 12.05.2021, wherein the petitioner has sought for returning back the gold jewels.

2. Heard the learned counsel for the petitioner.

3. In the considered view of this Court, there is already a substantial dispute that is pending before the Debts Recovery Tribunal, Madurai in S.A.No.182/2021 and the SARFAESI proceedings have been stayed by imposing certain conditions, which have to be satisfied by the petitioner. The petitioner in order to satisfy the conditions wants to sell the gold jewels that were pledged before the respondent bank. The petitioner therefore, made a representation in this regard



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to the respondent Bank on 12.05.2021. Since the same was not considered, the present writ petition has been filed before this Court.

4. In the considered view of this Court, the petitioner cannot parallelly move a writ petition before this Court. The request that has been made by the petitioner can very well be moved before the Debts Recovery Tribunal. Therefore, except giving this clarity, no further orders can be passed in this writ petition. This writ petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

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TR (12.07.2021) 2P 1C