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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.02.2022

CORAM:

THE HON'BLE DR.JUSTICE ANITA SUMANTH

W.P.NO.9563 OF 2019

AND

WMP.NO.10183 OF 2019

S.Manimegalai

... Petitioner

Vs.

1. The Reserve Bank of India,
No.16, Rajaji Salai,
Fort Glacis,
Chennai-600 001.

2. The Branch Manager,
Federal Bank,
No.20, Ramakrishna Road,
Chinnapudur, Salem-636 007.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first respondent to take action on the second respondent to close petitioner's jewel loan account numbers 20166500040097 and 20166500040105, based on representation dated 19.02.2019.

For Petitioner : Mr.D.Rameshkumar

For Respondents : Mr.C.Mohan (for R1)
for M/s.King & Patridge

Mr.R.Sridharan (for R2)

O R D E R

Heard Mr.D.Rameshkumar, learned counsel for the petitioner, Mr.C.Mohan, learned counsel for R1 and Mr.R.Sridharan, learned counsel for R2.



2.The petitioner has sought a mandamus directing R1 to take action based on her representation/complaint dated 19.02.2019 upon the 2nd respondent for closing her jewel loan account bearing Nos.20166500040097 and 20166500040105.

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3.Communication bearing CEPC(Che) No.2314, dated 23.05.2019 is circulated whereunder Reserve Bank of India has closed the complaint filed by the petitioner before it.

4.As far as R2 bank is concerned, no counter has been filed till date, however, an e-mail has been sent by the learned counsel on record whereunder, he conveys instructions of the bank to the effect that the jewels pledged have been sold by the bank. Pursuant to auction conducted, the jewel loan account was closed and the entirety of the amount realised in auction was appropriated towards closure of the gold loan.

5.In fact, the petitioner was the beneficiary of an interim order granted by this Court on 29.03.2019 wherender R2 bank was directed not to initiate auction proceedings in respect of the gold loan account subject to the condition that the petitioner pay a sum of Rs.2,50,000/- on or before 03.04.2019. Admittedly, and the learned counsel for the petitioner confirms, there has been no compliance of the aforesaid order. Thus, and as far as I see no merit in this writ petition, the same is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-VII)

//True Copy//

Sub Assistant Registrar

vs

To

1. The Reserve Bank of India,
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Fort Glacis, Chennai-600 001.

2. The Branch Manager,
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W.P.No.9563 of 2019 and
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MT (CO)
RLP (30/03/2022)