



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.02.2022

CORAM :

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.33698 of 2014

S.Udayakumar

...Petitioner

Vs.

1. The Branch Manager
Vijaya Bank,
G.N.Chetty Road,
T.Nagar, Chennai - 600 017.
2. The Assistant General Manager
Regional Office Chennai,
Dugar Towers,
No.123, Rukmani Lakshmipathy Road,
Egmore, Chennai - 600 008.
3. The Deputy General Manager
Regional Office Chennai,
Dugar Towers,
No.123, Rukmani Lakshmipathy Road,
Egmore, Chennai - 600 008.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 3rd respondents herein to consider the representation dated 28.07.2014 submitted by the petitioner.

For Petitioner : Mr.K.Balasubramaniam

For Respondents: No Appearance

O R D E R

The relief sought for in the present writ petition is to direct the 3rd respondent to consider the representation dated 28.07.2014 submitted by the petitioner.

2. The learned counsel for the petitioner made a submission that the Jewel loan availed by the petitioner was



settled. The representation submitted by the petitioner has not been considered by the respondents.

3. However, the disputed facts regarding the loan transaction, more specifically, by pledging the Jewels cannot be adjudicated in a writ proceedings under Article 226 of the Constitution of India. All such disputes are to be raised before the competent authority or before the Banking Ombudsman, which is empowered to adjudicate these issues with reference to the documents and evidences available on record. Merely based on the representation, the rights of the petitioner cannot be crystallized by the writ Court. When the petitioner claims that he has settled the entire loan dues it is for him to approach the authorities along with the proof of the same. In the event of submitting the proof and after verifying the records, the Bank authorities shall take appropriate decision.

4. This being the principles to be followed, the petitioner is at liberty to approach the Bank authorities and in the event of any such approach, all the records shall be verified by the authorities and all necessary actions are to be taken. In the event of non-approach by the petitioner in person, the petitioner is not entitled for any relief.

5. With these liberty, the Writ Petition stands disposed of. No costs.

Sd/-
Assistant Registrar(CS-II)

//True Copy//

Sub Assistant Registrar

Jeni/Cse

To

1. The Branch Manager
Vijaya Bank,
G.N.Chetty Road,
T.Nagar, Chennai - 600 017.
2. The Assistant General Manager
Regional Office Chennai,
Dugar Towers,
No.123, Rukmani Lakshmipathy Road,
Egmore, Chennai - 600 008.



3. The Deputy General Manager
Regional Office Chennai,
Dugar Towers,
No.123, Rukmani Lakshmipathy Road,
Egmore, Chennai - 600 008.

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+1cc to Mr.K.Balasubramaniam, Advocate, S.R.No.7874

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AD(CO)
SU(22/02/2022)