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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.06.2023

CORAM

THE HONOURABLE MR.JUSTICE **M.DHANDAPANI**

W.P.No.17432 of 2023

P.Kasi ...Petitioner

Vs.

1. The Reserve Bank of India,
   For Glacis, 16, Rajaji Road,
   Fort St. George, Chennai – 600 001.

2. UCO Bank,
   No.7, T.H.Road,
   New Washermanpet, Chennai – 600 081. ...Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to return the 6 items of gold ornaments, weighing 121 grams, pledged by the petitioner deceased daughter on 11.08.2021 in Jewel Loan No.13023.

For Petitioner : Ms.C.Shuwakitha

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O R D E R

The petitioner has filed this Writ petition seeking issuance of a Writ of Mandamus to direct the respondents to return the 6 items of gold ornaments, weighing 121 grams, pledged by the petitioner's deceased daughter on 11.08.2021 in Jewel Loan No.13023.

2. Since no adverse order is being passed against the respondents, notice to the respondents is dispensed with.

3. The case of the petitioner is that the petitioner's deceased daughter namely, Vijaya, during her lifetime, obtained a loan for a sum of Rs.3,02,000/- from the 2nd respondent, vide Jewel Loan bearing No.13023, by pledging her gold ornaments weighing about 121 grams. While so, after the demise of the said Vijaya, the petitioner settled the entire loan amount by depositing a sum of Rs.3,16,817/- into the UCO Bank of his daughter, despite the same, the 2nd respondent has not returned the gold jewels pledged by the petitioner's deceased daughter, while availing the said loan. Therefore,

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the petitioner made a representation dated 10.04.2023 before the 2nd respondent along with necessary documents, seeking to return the gold jewels, however, till date, no orders have been passed on the said representation. Hence, this Writ petition.

4. Though very many grounds have been raised, learned counsel for the petitioner submitted that, it would suffice, if this Court issues direction to the respondents to consider the petitioner's representation dated 10.04.2023 and to consequently, return the gold ornaments weighing about 121 grams, which was pledged by the petitioner’s deceased daughter Vijaya at the time of availing the loan, to the petitioner, as expeditiously as possible.

5. Considering the limited request made by the learned counsel for the petitioner, this Court without expressing any opinion on the merits of the case, directs the 2nd respondent to consider the petitioner's representation dated 10.04.2023 on merits and in accordance with law and return the gold jewels which were pledged by the petitioner’s deceased daughter Vijaya at the time of availing the loan, to the petitioner, within a period of four weeks from the date of receipt of a copy of this order, upon satisfaction of the Legal

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heirship certificate of the said Vijaya.

6. With the above observations and directions, this Writ petition stands disposed of. No costs.

13.06.2023

skt

NCC : Yes/ No
Speaking Order : Yes/ No
Index : Yes/ No

To

1. The Reserve Bank of India,
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M.DHANDAPANI., J.

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