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W.P.(MD)NO.1532 OF 2023

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED: 27.01.2023**

**CORAM**

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

**W.P.(MD)No.1532 of 2023**

V.Maheshwaran

... Petitioner

Vs.

1. The Branch Manager,  
State Bank of India,  
Kosakulam-Pudur Branch,  
Madurai – 625 007.

2. The Commissioner of Police,  
Madurai City,  
Madurai – 625 002.

3. The Inspector of Police,  
Mathichiyam (Law and Order) police station,  
Madurai City,  
Madurai – 625 020.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1<sup>st</sup> respondent herein to permit the petitioner to redeem the jewels pledged with the 1<sup>st</sup> respondent bank in Gold Loan No.40769634413 dated 07.02.2022 and 40769634934 dated 07.02.2022 in SB A/c.No.38982557905 by considering the petitioner's written representation dated 05.01.2023 within a time frame that may be fixed by this Court.



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For Petitioner : Mr.A.K.Amaravel Pandiyan

For R-1 : Mr.V.P.Rajan

For R-2 & R-3 : Mr.B.Thanga Aravindh,  
Government Advocate (Crl. Side).

\* \* \*

### **ORDER**

Heard the learned counsel on either side.

2. The prayer in normal circumstances will not be maintainable. It is true that the State Bank of India is a nationalised Bank. If the customers have some issue or dispute with the bank, that cannot be a ground for filing this writ petition. However, the case on hand appears to be little different. The specific allegation of the petitioner is that the first respondent has not permitted him to redeem his pledged jewels on account of some oral instruction given by the third respondent. The petitioner is said to be involved in NDPS Act case also.



3. When the matter was taken up for hearing, the learned counsel appearing for the Bank submitted that the petition mentioned account has not been frozen and that if the petitioner pays the entire amount due under the loan account, they are ready to return the pledged items.

4. The learned Government Advocate appearing for respondents 2 and 3 submitted that the petition mentioned account has not been frozen. It is seen that the frozen account and the petition mentioned account are different.

5. Recording the said submission, this writ petition stands disposed of. No costs.

**27.01.2023**

NCS : Yes / No  
Index : Yes / No  
Internet : Yes / No  
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**G.R.SWAMINATHAN,J.**

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