



W.P(MD)No.26726 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 07.11.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.26726 of 2023

and

W.M.P(MD)No.22985 of 2023

M.Rani

... Petitioner

Vs.

1.The Regional Manager,
Bank of Baroda,
Aparna Towers,
2nd Floor, Bypass Road,
Ponmeni, Madurai – 106.

2.The Branch Manager,
Bank of Baroda, Head Office,
Mandavi Baraoda,
68-A, Suruli Main Road,
Kamaya Koundan Patti,
Theni District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to return the petitioner Husband Jewelry in Jewelry Loan Account Nos. 06/24640 and 06/24928 and ready to pay the entire Jewelry



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Loan amount and without any condition on the basis of the petitioner written representation dated 16.09.2023.

For Petitioner : Mr.K.Sathiya Singh

For Respondents : Mr.P.Madhan Alexander

ORDER

Heard both sides.

2. Thiru.Muralitharan had pledged the petition mentioned jewellery with the second respondent. The jewels are now about to be auctioned. Hence the present writ petition came to be filed. The petitioner states that she is ready to pay the loan amount and redeem the jewellery.

3. The learned counsel appearing for the Bank has one apprehension. He states that the pledge was made by Thiru.Muralitharan and not the petitioner herein. Thiru.Muralitharan is presently undergoing sentence in Central Prison, Madurai. He is a convict. The apprehension of the Bank is that tomorrow Thiru.Muralitharan should not raise any objection.



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4. The learned counsel appearing for the petitioner in response states that the petitioner has obtained authorisation from her husband.

5. I am satisfied that there is no irregularity in the petitioner's claim. The petitioner is permitted to pay the outstanding loan amount to the second respondent and redeem the jewellery. The petitioner shall of course comply with the other banking formalities such as execution of indemnity bond.

6. This writ petition is allowed accordingly. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

07.11.2023

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

MGA

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