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W.P.No.20811 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.02.2024

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.20811 of 2021

1. Selvarani
2. Hariharan
3. Gopikrishnan

... Petitioners

Vs.

1. The Chief General Manager,
State Bank of India,
Circle Top House, Aparna Complex,
Post Box No.737, 16, College Roadm
Greames Road,
Near Sankara Nethralaya,
Chennai – 600 006.
2. The Zonal Manager,
State Bank of India,
Zonal Office,
Thanjavur Road,
Malaiyappa Nagar,
Trichy – 620 010.
3. The Chief Manager,
State Bank of India,
Mela Agraharam Street,
Trichy Main Road, Ariyalur Branch,
Ariyalur Town,
Ariyalur District – 621 704.

... Respondents



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Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 3rd Respondent herein to return and hand over the gold jewels to the Petitioners herein which were pledged by the 1st Petitioner's deceased husband namely Vaithiyanathan and father of the other petitioners 2 and 3 herein in the jewel loan account number in AJL No. 11164733224, 11164730325 and 11164730336 of the 3rd Respondent Bank within a stipulated time as that may be fixed by this Honourable Court.

For Petitioner : Mr.R.Boopathy

ORDER

This Writ Petition has been filed for directing the 3rd Respondent herein to return and hand over the gold jewels to the Petitioners herein which were pledged by the 1st Petitioner's deceased husband namely Vaithiyanathan and father of the other petitioners 2 and 3 herein in the jewel loan account number in AJL No. 11164733224, 11164730325 and 11164730336 of the 3rd Respondent Bank.

2. Jewel loans are granted by the Banks on terms and conditions and based on the agreement between the parties. Such contractual obligations



aggrieved between the parties cannot be adjudicated in a writ proceedings.

Therefore, the petitioner has to approach the respondents or the competent

Court or as the case may be for the purpose of redressal of his grievances.

Contrarily, High Court in a writ proceedings cannot adjudicate such contractual matters relating to jewel loans granted by the Banks based on terms and conditions.

3. Thus granting such liberty, the Writ Petition stands disposed of. No costs.

09.02.2024

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Index : Yes

To

1. The Chief General Manager, State Bank of India,
Circle Top House, Aparna Complex,
Post Box No.737, 16, College Roadm
Greames Road, Near Sankara Nethralaya,
Chennai – 600 006.
2. The Zonal Manager, State Bank of India,
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WEB COPY

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WEB COPY

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S.M.SUBRAMANIAM, J.

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