



W.P.(MD) No.3529 of 2018

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.07.2024

CORAM:

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.(MD) No.3529 of 2018

State Bank of Travancore Jewel
Appraiser Association,
regn.No.66/2014,
through its Secretary,
S.Sadakutti

... Petitioner

/vs./

- 1.The Secretary,
Government of India,
Ministry of Finance and Banking,
New Delhi.
- 2.The Chairman,
State Bank of India,
New Delhi
- 3.The Chief General Manager,
Agri Business,
State Bank of India,
Chennai.
- 4.The Deputy General Manager,
State Bank of India,
Maduram Complex,



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Dr.Ambedkar Road,
Madurai.

5.The Assistant General Manager,
State Bank of India,
Nagercoil,
Kanyakumari District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 5th respondent to direct all the branches of State Bank of India within his circle to implement the 3rd respondent's Circular No.NBG-AB-IC&GL/ABU-ICGL-GOLDLOAN/3/2017-18 dated 09/01/2018 and 05/02/2018 as gold appraiser charges for the subject jewel loan handling by the petitioner members by considering petitioner's representation dated 10/02/2018, within the period as stipulated by this Court.

For Petitioner : M/s.S.Varnikhaa

For R1 : Mr.C.Nandagopal

For R4 : Mr.V.P.Rajan

ORDER

The petitioner has filed this writ petition for a Mandamus to direct the fifth respondent to direct all the branches of State Bank of India within the circle to implement the third respondent's Circular No.NBG-AB-IC&GL/ABU-ICGL-GOLDLOAN/3/2017-18 dated 09/01/2018 and 05/02/2018 as gold appraiser



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charges for the subject jewel loan handling by the petitioner members by considering petitioner's representation dated 10/02/2018.

2.This writ petition was filed at the stage when the third respondent's circular No.NBG-AB-IC&GL/ABU-ICGL-GOLDLOAN/3/2017-18 dated 09/01/2018 and 05/02/2018 was in force.

3.Today, when the case was taken up for hearing, the learned counsel for the fourth respondent has produced a copy of e-Circular No.NBG-AB-IC&GL/ABU-ICGL-GOLDLOAN/21/2023-24 dated 05.10.2023 in Sl.No. 602/2023-24. Preamble to the circular reads as under:

“Please refer to e-Circular No.500/2022-23 dated 02nd August 2022, advising the details of Agri Gold Loan Scheme.

*2.We have been issuing Circulars containing instruction on our Agri Gold Loan product from time to time. In order to enable the operating functionaries to have current instruction at one place a Master Circular (**Annexure-A**) has been compiled incorporating all the existing circulars/instructions issued up to 31.08.2023.*

Please be guided accordingly.”

4.Serial No.20 to the annexure A reads as under:



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<i>S.No.</i>	<i>Particulars</i>	<i>Details</i>
.....		
20	Gold Appraiser Charges	RUSU branches: Gold appraiser charges at @0.05% to 0.10% of loan amount with a minimum of Rs.50/- and maximum of Rs.300/- URMET branches: Gold appraiser charges at @0.05% to 0.10% of loan amount with a minimum of Rs.50/- and maximum of Rs.600/- The appraiser fee should be paid by Gold loan borrower from his SB a/c to the Gold Appraiser's SB/CA a/c in all such cases where engagement of gold appraiser has been completed in accordance with instructions issued in this regard. CMC of the Circles have the discretion to fix the gold appraiser charges within the range stipulated above as deemed necessary depending upon the competition prevailing to their area of operation

5.Under these circumstances, the Writ Petition stands disposed of by directing the respondents to implement the above circular as far as the petitioner is concerned.

6.The Writ Petition stands disposed of, accordingly. No costs.

Index : Yes / No
Internet : Yes / No
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C.SARAVANAN, J.

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