



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-12-2025

CORAM

THE HONOURABLE MR JUSTICE N. SATHISH KUMAR

WP No. 30607 of 2022

S.Selvaraj,
s/o.Late.Somasundaram,
No.17, Vellan Street, T.R.pattinam,
Karaikal-609606, Puducherry.

Petitioner(s)

Vs

1.The Divisional Manager,
The Kumbakonam Central Cooperative
Bank Ltd., Head Office, Kumbakonam,
Thanjavur District-612 001.

2.the Branch Manager,
The Kumbakonam Central Cooperative
Bank Ltd., Agharam Branch,
Kumbakonam, Thanjavur District-612 001.

3.The Branch Manager,
the Kumbakonam Central Co-operative
Bank Ltd., Koradacherry Branch,
Koradacherry, Thiruvarur District-613 703.

Respondent(s)

PRAYER:-Writ Petition filed under Article 226 of the Constitution of India, praying for an issuance of Writ of Mandamus, directing the respondents to close and release all the Fixed Deposits, Savings Bank Account and recurring Deposit of the petitioner lying with the respondents within the time frame.



For Petitioner(s): Mr.B.Manimaran

For Respondent(s): Mr.S.Ravikumar
For R1 to R3

ORDER

This writ petition has been filed by the petitioner seeking to direct the respondents to close and release all the Fixed Deposits, Savings Bank Account and recurring Deposit of the petitioner lying with the respondents.

2.Learned counsel for the petitioner would submit that the petitioner was working in Kumbakonam Central Cooperative Bank and retired from the service on 02.10.2011. He has kept his retirement benefits in the respondent's bank under savings accounts and fixed deposits. Recently, when the petitioner closed almost all his fixed deposits and other accounts in the respondent Bank, the respondent Bank has however refused to release a sum of Rs.6,45,000/- for the reason that the said amount was adjusted towards the gold loan availed by the petitioner's daughter.

3.He would further submit that the petitioner and her daughter are legally distinct and separate persons and therefore, for the gold loan availed by the petitioner's daughter, the petitioner's hard earned money cannot be withheld by the respondent Bank. Hence, the present writ petition has been filed.



4.Learned counsel appearing for the respondents by referring the counter affidavit would submit that the petitioner after his retirement availed jewel loan to the tune of Rs.30,50,166/-. The jewels were mortgaged by himself in his name. Since the loan amount was not repaid, the jewels pledged by the petitioner were brought for auction and a sum of Rs.24,37,999/- was collected and the balance amount of Rs.6,12,167/- is yet to be remitted by the petitioner. Further, the respondents have also produced their official documents along with the details regarding the jewel loan and the loss incurred by the Bank after auctioning the jewels pledged by the petitioner to show that the jewel loan stood in the name of the petitioner and hence, prayed for dismissal of the present writ petition.

5.Heard the learned counsel for the petitioner as well as the learned counsel appearing for the respondents and perused the materials available on records.

6.Considering the submissions made by either parties and perusal of the documents produced by the respondents clearly shows that the jewel loan stood in the name of the petitioner and since the said jewel loan was not repaid, the jewels were brought into auction. Under such circumstance, a direction prayed for by the petitioner cannot be issued in the writ petition. If so advised, the petitioner can redress his grievance by way of filing a Civil Suit.



7. With the above observation, this writ petition stands dismissed. No

costs.

18-12-2025

rst

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



To

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