



W.P.(MD) No.16001 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.(MD) No.16001 of 2025

R.Murugan

... Petitioner

Vs

1. The Regional Manager,
State Bank of India,
Regional Office,
Karaikudi,
Sivagangai 630 002.

2. The Branch Manager,
State Bank of India,
Kamudhi Branch,
Ramanathapuram District- 623 603.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus to direct the respondents to release/handover the gold jewels in favour of the petitioner upon payment of the requisite loan amount, based upon the representation, dated 07.05.2025.



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For petitioner : Mr. S.Ramsundarvijayraj

For respondents :Mr.V.Balasubramanian

ORDER

The petitioner is before this Court for a Mandamus to direct to respondents to release and hand over the gold jewels in favour of the petitioner upon payment of the requisite loan amount, based upon the petitioner's representation, dated 07.05.2025.

2. Heard the learned counsel for the petitioner and learned counsel for the respondents.

3. It is the case of the petitioner that three loans were taken on the petitioner's wife's name with the second respondent/Bank and that the petitioner is the nominee appointed by the petitioner's wife, who died on 01.06.2024 and therefore, the petitioner is willing to settle the loan outstanding amount together with interest.



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4. The learned counsel for the respondent, on the other hand, would submit that the interest of the minors are involved and therefore, the petitioner is not entitled to the relief sought for in this Writ Petition.

5. Having considered the arguments made by the learned counsel for the petitioner and learned counsel for the respondents, this Court is of the view that the objection of the respondents/Bank for releasing the gold jewel on payment of the amount due in the respective loans cannot be accepted.

6. The petitioner, being the natural guardian of the minor children, is entitled to discharge the loans taken in the petitioner's wife's name. Therefore, there shall be a positive direction to the respondents to release the gold jewels to the petitioner, subject to the petitioner discharging all the loan liabilities in respect of these three loans.

7. This Writ Petition is allowed, with the above directions. No costs.

Index : Yes / No
Internet : Yes / No
apd

13.06.2025

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C.SARAVANAN, J.

apd

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