



W.P(MD)No.26798 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
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DATED: 03.01.2025

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

WP(MD). No.26798 of 2019 and
WMP(MD) Nos.23162, 23165 of 2019 and 8216 of 2020

State Bank of India Jewel Appraiser Association,
Regn No.66/2014,
Rep by its Secretary,
S.Sadakutti

... Petitioner

Vs

- 1.The Union of India,
Rep.By its Secretary to Government,
Ministry of Finance and Banking,
New Delhi.
- 2.The Chairman,
State Bank of India,
Corporate Centre,
State Bank Bhavan,
Madama Came Road,
Nariman Point,
Mumbai, Maharashtra-400021.
- 3.The Deputy General Manager (B and O),
State Bank of India,
Madhuram Complex,
Dr.Ambedkar Road, Madurai-2.



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4.The Zonal Manager,
State Bank of Travancore, Zonal Office,
Guna Complex, P.B.No. 6901,
Anna Salai,
Teynampet, Chennai-18.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue Writ of Certiorarified Mandamus, to call for the records in connection with the impugned order issued by the 3rd respondent in Circular Letter No.RBU/02/2017-18 dated 13.02.2018 , quash the same as illegal and consequently directing the respondents 1 to 4 herein to fix the Gold Appraiser charges for the members of the Petitioner Association as per the Circular No. PSB/27/2016 dated 10.06.2016 issued by the General Manager, Personal Banking Business Department, State Bank of Travancore, Head Office, Thiruvananthapuram and Circular Letter No. CIR/ABU/01/2017-18, dated 19.04.2017 issued by the Deputy General Manager, Agri Business Unit, State Bank of India, Local Head Office, Thiruvananthapuram in the light of clause 4 of the Gazette of India [Part II-Section 3(i)] Notification, dated 22.02.2017 and continue to pay the appraiser charges w.e.f. 22.02.2017 to the members of the petitioner Association along with arrears.



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For Petitioner	: Mr.S.Bharathy Kannan
For R1	: Mr.S.Paramasivam Central Government Standing Counsel
For R2 & R4	: No appearance
For R3	: Mr.V.P.Rajan

ORDER

The petitioner is an Association representing the Jewel appraisers, who are working in the State Bank of Travancore. They have filed this writ petition as against the Circular issued by the State Bank of India in No.RBU/02/2017-18 dated 13.02.2018, in and by which, the gold loan appraiser charges have been fixed as “For loan amount upto Rs.1,00,000/-, Rs.50/- per account and for loan amount more than Rs.1,00,000/-, Rs.100/- per account”.

2.The learned counsel appearing for the petitioner submits that initially, the members of the petitioner Association are working as appraisers in State Bank of Travancore. Later State Bank of Travancore was merged with the State Bank of India. According



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to the petitioner, the gold loan appraiser charges paid by the State Bank of Travancore is different from the amount now being paid by the State Bank of India. At the time of merger of State Bank of Travancore with State Bank of India, an undertaking was given by the State Bank of India that the gold loan appraiser charges paid by the State Bank of Travancore would be paid to the appraisers of State Bank of India. However, without considering the same, the charges have been fixed as per the circular, dated 13.02.2018 and the same is challenged in this writ petition.

3.The learned counsel appearing for the third respondent/State Bank of India submits that this writ petition was filed as against the Circular of the year 2018. The petitioner Association has also filed two other writ petitions in WP(MD) Nos. 17451 of 2017 and 3529 of 2018, as against the similar Circulars issued in the year 2017-2018, wherein, it was reported that a Circular No.NBG-AB-IC& GL/ABU-ICGL-GOLDLOAN/ 21/2023-24, dated 05.10.2023 in Sl.No.602/2023-24 has been



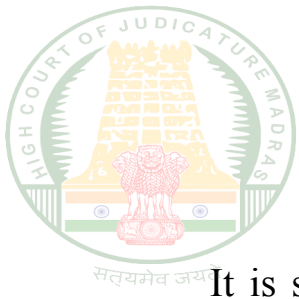
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issued, revising the gold appraiser charges. Considering the submission made on behalf of the respondent Bank, those writ petitions have been disposed of, with a direction to the respondents to implement the Circular, dated 05.10.2023. The learned Standing Counsel further submits that the charges payable to the appraisers, as per the revised Circular of the year 2023 are now being paid to them. Copies of the orders passed in WP(MD) Nos. 17451 of 2017 and 3529 of 2018, dated 12.08.2024 and 18.07.2024 are placed before this Court.

4.This Court considered the rival submissions made and also perused the materials placed on record.

5.Challenging the Circular issued by the State Bank of India in No.RBU/02/2017-18, dated 13.02.2018, fixing the gold loan appraiser charges "For loan amount upto Rs.1,00,000/-, Rs.50/- per account and for loan amount more than Rs.1,00,000/-, Rs.100/- per account", the petitioner has approached this Court in the year 2019.



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It is seen that apart from this writ petition, this petitioner has also filed two other writ petitions in WP(MD) Nos. 17451 of 2017 and 3529 of 2018, challenging the Circular issued in the year 2017-2018. Those writ petitions were disposed by this Court, considering the subsequent revised Circular, dated 05.10.2023. It is also reported that the appraisers are now being paid as per the aforementioned revised Circular, dated 05.10.2023. Since this Court has already passed orders on the very same issue, this Court is not inclined to issue any further directions in this writ petition.

6. Accordingly, this writ petition is closed. The State Bank of India/the third respondent herein shall consider the case of the petitioner in light of the agreement, if any, made at the time of merger with State Bank of Travancore. No costs.

03.01.2025

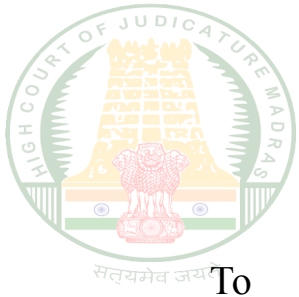
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B.PUGALENDHI, J.

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