



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-01-2026

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THE HON'BLE MR.JUSTICE V. LAKSHMINARAYANAN

WP No. 15578 of 2018

C.Kumar

..Petitioner(s)

Vs

1. The Registrar Co-operative Societies,
E.V.K. Sampath Salai, Chennai
2. Deputy Registrar of Co-operative Societies,
Chengalpattu Circle, Chengalpattu,
Kancheepuram District.
3. The Secretary
Kancheepuram Central Co-operative Bank Ltd.,
Pallavaram Branch, Chavadi Street,
Pallavaram, Chennai 43

..Respondent(s)

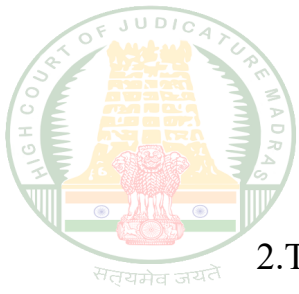
Prayer: Writ Petition is filed under Section 226 of the Constitution of India for the issuance of writ of Mandamus, directing the respondents to return the jewels of the respondent for which the loan due has been paid by the petitioner based on the petitioners representation dated 25.5.2018.

For Petitioner(s): Mr.A.Mukesh for M.Selvan

For Respondent(s): Mr.R.Murthi, GA for R1 & R2
Mr.B.Balaji for
Mr.R.Gopinath for R3

ORDER

This writ petition is filed praying to direct the respondents to return the jewels pledged by the petitioner, for which the loan dues has been paid in full, based on the petitioner's representation dated 25.5.2018.

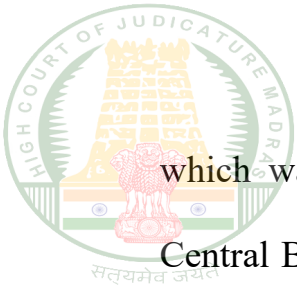


2.The petitioner claims that he pledged gold jewels weighing approximately 131 grams with the third respondent on 06.04.2010, availing a loan of ₹1,23,000/-. He asserts that he repaid the entire amount, except for a nominal balance of ₹1/-. Subsequently, he pledged an additional 85 grams of gold on 09.02.2011 and availed a second loan of ₹1,05,000/-, which he states has been fully repaid. Furthermore, on 28.02.2011, he obtained a third loan of ₹60,000/- against the security of 53 grams of gold jewels.

3.It is the petitioner's case that although the entire loan amounts were repaid, the jewels have not been returned to him.

4.He further points out that a complaint was filed against him before the Central Crime Branch, Chennai, and a First Information Report (FIR) in Crime No. 57/2011, was registered by the said authority. The gravamen of the charges in the complaint was that fake jewellery was pledged with the bank, and loans were disbursed on that basis. He states that he had nothing to do with the transactions and seeks the return of the jewels.

5.Mr. R. Gopinath, learned counsel appearing for the third respondent, brought to the notice of this Court an order passed by a Division Bench in W.A. 394 of 2016 dated 17.06.2019. In terms of that order, Crime No. 57 of 2011,

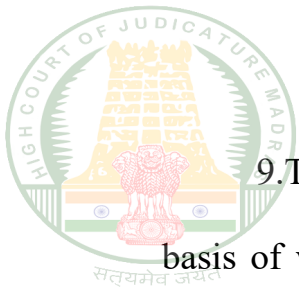


which was referred to by the petitioner, stood transferred to the file of the Central Bureau of Investigation (CBI). The CBI was directed to investigate the matter and submit a report.

6.He further points out that the CBI investigated the matter and has filed a supplementary charge sheet on 24.10.2024. In this report, the petitioner has been arrayed as Accused No. 13 (A-13). The CBI has charged the petitioner with having submitted spurious jewels and opening 15 loan accounts. The transactions were allegedly conducted in connivance with one Mr. K. Perumal, who has been arrayed as the second accused. It is further pointed out that the said second accused, Mr. K. Perumal, was the Branch Manager of the third respondent during the relevant period. He states the trial is yet to commence, and the matter is pending consideration before the jurisdictional court.

7.I have carefully considered the submissions made by counsel for both sides and perused the records.

8.This Court, after a detailed analysis of the facts, had found serious fraud in the issuance of jewel loans. It was on account of that conclusion that the Central Bureau of Investigation (CBI) was directed to investigate Crime No. 57/2011, 140/2011, and 3/2013.



9. The CBI, after its investigation, has concluded that the jewels on the basis of which the petitioner raised the loans are spurious (fake). If the relief sought by the petitioner is granted, it would have the tendency to interfere with the course of the trial, for which the charge sheet has already been filed.

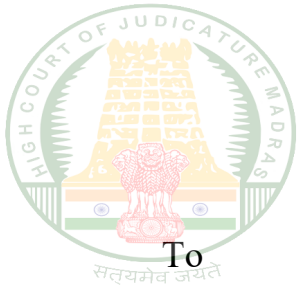
10. Furthermore, this proceeding, being a writ petition, unless the petitioner is shown to be blameless, this Court should not exercise its extraordinary writ jurisdiction in favour of such a person.

11. Hence, this writ petition is **dismissed**. It is open to the petitioner to seek the return of the jewels after the criminal proceedings are concluded in the event of his acquittal in those proceedings. There shall be no order as to costs.

19-01-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

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To

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V.LAKSHMINARAYANAN, J.

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