

W.P(MD)No.12023 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.03.2025

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN

W.P(MD)Nos.12023 & 22634 of 2019

& 3390 of 2023

and

W.M.P(MD)Nos.9060 & 23626 of 2019

W.P(MD)No.12023 of 2019:

B.Kannan S/o. Balu,
Proprietor,
Selvi Gold Finance,
No.18, Dr.Ambedkar Street,
Ramanathapuram – 623 501.

... Petitioner

Vs.

- 1.The Chairman,
District Legal Services Authority,
Ramanathapuram.
- 2.The Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.
- 3.The Inspector of Police,
District Crime Branch,
Ramanathapuram District,
Ramanathapuram.



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4.Manappuram Finance Limited,
Represented by its Area Head (Madurai Region),
Manapuram House,
Valappad P.O,
Trichur District,
Kerala – 680 567.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the first respondent to reconstitute the Committee appointed by this Court as per the order in W.P(MD)No. 12654 of 2018 dated 29.10.2018 and consequently direct the fourth respondent to return the jewels, which were re-pledged by the petitioner's company M/s.Selvi Gold Finance.

For Appellant : Mr.S.Balaji

For Respondents : Mr.T.Senthil Kumar
Additional Public Prosecutor
for R.2 & R.3

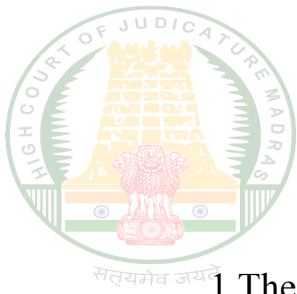
Mr.P.Pethu Rajesh for R.4

W.P(MD)No.22634 of 2019:

B.Kannan S/o. Balu,
Proprietor,
Selvi Gold Finance,
No.18, Dr.Ambedkar Street,
Ramanathapuram – 623 501.

... Petitioner

Vs.



W.P(MD)No.12023 of 2019

1. The Chairman,
District Legal Services Authority,
Ramanathapuram.

2. The Inspector of Police,
District Crime Branch,
Ramanathapuram District.

3. Manappuram Finance Limited,
Represented by its Area Head (Madurai Region),
Manapuram House,
Valapad P.O,
Thrissur District,
Kerala – 680 567.

***(R.3 is impleaded vide order of
this Court dated 19.12.2019 in
W.M.P(MD)No.21973 of 2019)***

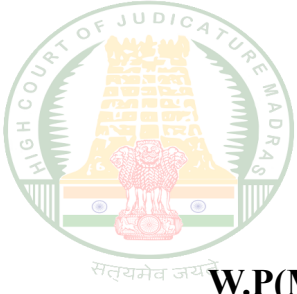
... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the first respondent to accept the petitioner's customers list given by the petitioner and return the jewels to the listed customers in the committee based on the petitioner's representation dated 14.10.2019.

For Appellant : Mr.S.Balaji

For Respondents : Mr.T.Senthil Kumar
Additional Public Prosecutor
for R.2

Mr.P.Pethu Rajesh for R.3



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W.P(MD)No.3390 of 2023:

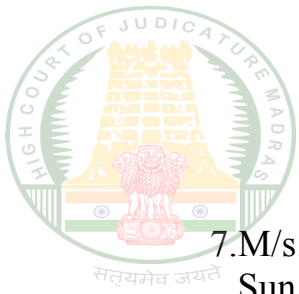
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R.B.Kannan S/o.N.R.Balu,
Proprietor,
Selvi Gold Finance,
No.18-A, Dr.Ambedkar Street,
Ramanathapuram – 623 501.

... Petitioner

Vs.

- 1.The Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.
- 2.The Inspector of Police,
District Crime Branch,
Ramanathapuram District,
Ramanathapuram.
- 3.M/s.Manappuram Finance Private Limited,
Manapuram House Post,
Valappad, Trichur District,
Kerala – 680 567.
- 4.M/s.Karur Vysya Bank,
No.21, Erode Road,
Karur – 639 002.
- 5.M/s.Muthoot Finance Private Limited,
No.534, Muthoot Chambers,
Kuriyan Towers, Opp Saritha Theater,
Benarji Road, Katcheripadi,
Ernakulam, Kerala – 682 018.
- 6.M/s.Muthoot Fincorp,
No.61/684, Ground Floor,
Peppermint Sadan, Mahatma Gandhi Road,
Ravipuram, Ernakulam, Kerala – 682 016.



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7.M/s.Indian Infoline Finance Limited,
Sun Infotech Park, Road No-16 V Plot No.B-23,
Thane Industrial Area,
Wagle Estate, Thane – 400 604,
Maharashtra.

8.M/s.Kosamattam Finance Limited,
4 and 5th Floor, Kodamattam City Centre,
T.B.Road, Kottayam,
Kerala – 686 001.

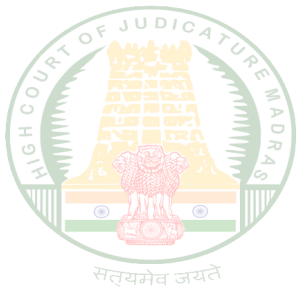
... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 and 2 to take action to recover jewels from the respondents 3 to 8 which was pledged by the petitioner in the name of Selvi Gold Finance and to return back jewels to the persons who pledged their jewels with the petitioner's Selvi Gold Finance Company by considering the petitioner's representation dated 24.12.2022.

For Appellant : Mr.R.Gunasundaram

For Respondents : Mr.T.Senthil Kumar
Additional Public Prosecutor
for R.1 & R.2

Mr.P.Pethu Rajesh
for R.3, R.5 & R.6



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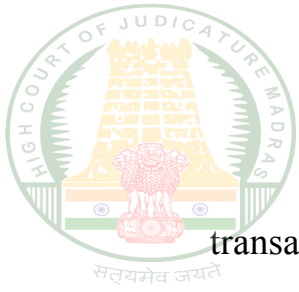
COMMON JUDGMENT

(Judgment of the Court was made by G.R.SWAMINATHAN J.)

The writ petitioner is running a pawn broker concern in the name and style of “Selvi Gold Finance”. He had given jewel loans to a number of individual customers at higher rates of interest. Thereafter, he has re-pledged the gold at lower rates of interest with certain financial institutions and NBFCs. The petitioner failed to redeem the pledge with the NBFCs. The petitioner had unauthorisedly dealt with the pledged items. When pressure was mounted on him from the individual customers, the present writ petitions came to be filed.

2.The prayer in the writ petitions is for directing the authorities to take action against NBFCs for return of the pledged items. The petitioner claims that he is ready to pay the necessary amount for redeeming the pledged items.

3.The offer made by the writ petitioner is no doubt attractive. But we are clearly of the view that these are not matters with which the writ Court should be concerned. These are essentially private contractual



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transactions. The writ petitions are not maintainable. The parties are at liberty to work out their rights in the manner known to law.

4.These writ petitions are dismissed accordingly. No costs.

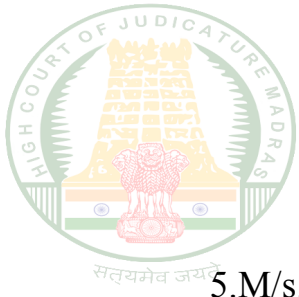
Consequently, connected miscellaneous petitions are closed.

[G.R.S., J.] [M.J.R., J.]
26.03.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
MGA

To

- 1.The Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.
- 2.The Inspector of Police,
District Crime Branch,
Ramanathapuram District,
Ramanathapuram.
- 3.M/s.Manappuram Finance Private Limited,
Manapuram House Post,
Valappad,
Trichur District,
Kerala – 680 567.
- 4.M/s.Karur Vysya Bank,
No.21, Erode Road,
Karur – 639 002.



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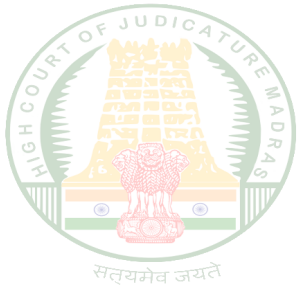
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5.M/s.Muthoot Finance Private Limited,
No.534, Muthoot Chambers,
Kuriyan Towers,
Opp Saritha Theater,
Benarji Road,
Katcheripadi,
Ernakulam,
Kerala – 682 018.

6.M/s.Muthoot Fincorp,
No.61/684, Ground Floor,
Peppermint Sadan,
Mahatma Gandhi Road,
Ravipuram,
Ernakulam,
Kerala – 682 016.

7.M/s.Indian Infoline Finance Limited,
Sun Infotech Park,
Road No-16 V Plot No.B-23,
Thane Industrial Area,
Wagle Estate,
Thane – 400 604,
Maharashtra.

8.M/s.Kosamattam Finance Limited,
4 and 5th Floor,
Kodamattam City Centre,
T.B.Road,
Kottayam,
Kerala – 686 001.



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G.R.SWAMINATHAN,J.

AND

M.JOTHIRAMAN, J.

MGA

W.P(MD)No.12023 of 2019

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