



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-08-2026

CORAM

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

WP No. 23746 of 2026

E.Magimairaj
S/o. Esthaki,
No. F-2, Plot No. 41, 4th street,
Gandhi Nagar, Valasaravakkam,
Chennai 87.

..Petitioner(s)

Vs

1. The Banking Ombudsman
C/o. Reserve Bank of India,
Chennai 01
2. The Senior Manager
the REPCO Bank Limited,
(The Repatriates Co-operative Finance and
Development Bank Ltd.,),
Head office at REPCO Tower,
No. 33 North Usman Road, T.Nagar,
Chennai 17
3. The Branch Manager
the REPCO Bank Limited,
(The Repatriates Co-operative Finance and
Development Bank Ltd.,),
Vyasarpadi Branch,
Plot No.2, West Avenue , M.K.B. Nagar,
Vyasarpadi Chennai 39

..Respondent(s)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the 3rd respondent to consider the petitioner's representation dated 20.04.2026 within a stipulated time frame and consequentially directing the 3rd respondent to execute a registered RECEIPT for cancellation of the Memorandum of Deposit of Title Deeds, dated 15.07.2002 registered as Document No. 1443/ 2002 in the office SRO- Arani



and pass such further or other orders.

For Petitioner(s):

Mr.N.Ramesh

for Mr.R.Suresh Kumar

For Respondent(s):

Mr.J.Kiffif Tonna Sharon For R1

Mr.P.V.Sanjeev

for R3

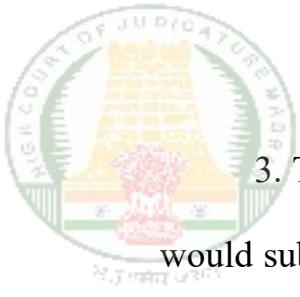
No appearance for R2

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ORDER

This Writ Petition is filed for a Mandamus directing the third respondent to consider the petitioner's representation dated 20.04.2026 within a stipulated time frame and consequently direct the third respondent to execute a registered receipt for the cancellation of the memorandum of deposit of title deeds dated 15.07.2002 registered as document No. 1443 of 2002 at the office of the Sub – Registrar, Arani.

2. The grievance of the petitioner is that, after executing the aforementioned mortgage and obtaining the loan, the petitioner repaid the entire loan amount and thereby discharged the liability in full. No amount is due and payable by the petitioner to the bank. However, despite the discharge of the loan, the bank did not immediately issue a receipt or take necessary steps to record the discharge of the mortgage. Consequently, the encumbrance continues to reflect as though the mortgage is still subsisting. Therefore, the petitioner has submitted a representation to the bank seeking necessary action.



3. The learned counsel appearing on behalf of the third respondent - bank would submit that, if the petitioner had in fact discharged the loan as early as in the year 2003–2004, he is now approaching the bank by way of a representation and thereafter this Court only after a lapse of nearly 22 years.

4. The learned counsel would submit that the records are not readily available with the bank and it will take a little longer time for the bank to verify the same and accordingly will pass suitable orders on the representation of the petitioner.

5. I have considered the rival submissions made on either side and perused the material records of the case.

6. It is true that after a long period of time, it will be difficult for the bank to trace out the records. At the same time if the encumbrance reflects mortgage, there will be problem for the petitioner in dealing with the property.

7. In view thereof, this Writ Petition is disposed of on the following terms:

(i) The third respondent-Bank shall take up the representation of the petitioner dated 20.04.2026 and consider the particulars furnished by the petitioner with reference to registered Document No.1443 of 2002 and the loan



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availed thereunder. The third respondent-Bank shall trace the relevant loan records and, if it is found that the loan has already been discharged, issue a receipt acknowledging the discharge of the loan, which the petitioner may produce before the appropriate authority for recording the same in the relevant records.

(ii) If the third respondent-Bank is unable to trace the relevant records within a period of four months from today, and if, on verification, it is found that the said loan does not find place as an outstanding liability in its current books of account, the third respondent-Bank shall, in any event, issue a receipt to the petitioner acknowledging the same, which the petitioner may produce before the concerned Sub-Registrar for taking necessary action.

(iii) There shall be no order as to costs.

13-08-2026

Neutral Citation: Yes/No

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To

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D.BHARATHA CHAKRAVARTHY, J.

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