

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 10.4.2015.

CORAM

THE HON'BLE MR.JUSTICE M.SATHYANARAYANAN, J.

W.P.No.10475 of 2015

S.Govindarajulu

... Petitioner

vs.

The Manager
Repco Home Finance Ltd.
Flat No.1/8 First Floor,
Pancharatna Apartments
Welcome Colony
Thirumangalam
Anna Nagar West
Chennai 600 101

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the respondent to release the all original title documents of the property bearing Door No.370, 11th Street, Sharma Nagar, Vyasarpadi those were deposited in respect of loan account Nos.1171860000352 and 1171860000416 based on petitioner's representation dated 19.3.2015.

For Petitioner : Mr.S.Angamuthu

For Respondent : No appearance.

ORDER

Petitioner, believing the words of his daughter, had settled the property in her favour by means of a registered settlement deed dated 3.4.2006 vide document No.1430/2006 on the file of the Sub Registrar, Purasawalkam and she in turn, availed loan from the respondent by creating equitable mortgage over the property. The grievance expressed by the petitioner is that his daughter has neglected him as well as his wife. The petitioner subsequently revoked the settlement by means of revocation deed dated 5.6.2014 registered as document No.2464/2014 and also settled a sum of Rs.4,14,552/= to the

respondent and prayed for return of the original documents and he has also made a representation dated 19.3.2015 in this regard and since he has not been favoured with any response, he came forward to file the present writ petition.

2. Learned counsel appearing for the petitioner would submit that the petitioner is aged about 81 years and though he had settled the dues to the respondent on 27.11.2014 itself and made a representation dated 19.3.2015 for return of original documents, he has not been favoured with any response and hence, he was constrained to file the present writ petition.

3. This court, after taking into consideration that though the petitioner had prayed for a larger relief, this court, in the facts and circumstances, feels that it would be suffice to direct the respondent to consider the petitioner's representation dated 19.3.2015 within a stipulated time frame on merits and in accordance with law.

4. In the result, the writ petition is disposed of directing the respondent to consider the petitioner's representation dated 19.3.2015 on merits and in accordance with law as expeditiously as possible not later than four weeks from the date of receipt of copy of this order and inform the decision taken to the writ petitioner.

5. The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

ssk.

+1cc to M/s.S.Angamuthu, Advocate, S.R.No.20150

W.P.No.10475 of 2015

CA(CO)
CA(22/04/2015)

WEB COPY