

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.02.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

W.P.No.36737 of 2015

R.Sengodan

.. petitioner

Vs.

The Canara Bank,
Rep. by its Branch Manager
Mohanur Road, Namakkal - 637 001.

... Respondent

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus to direct the respondent bank herein to execute a "Deed of Cancellation of Mortgage" in favour of the petitioner herein in respect of properties bearing 1.Survey No.271/2A bought vide sale deed bearing document No.840 of 2004 measuring to an extent of 2.69acres situated at Pommappatti Village 2.Survey No.217/2A bought vide sale deed bearing Document No.797/2004 measuring to an extent of 2.69 acres situated at Pommappatti village 3.Survey No.271/2A bought vide sale deed bearing document No.884/2000 measuring to an extent of 0.36acres situated at Pommappatti village 4.Survey No.144/3A bought vide sale deed bearing document No.760 of 2000 situated at Puthur Village, Velagoundapatti 5.S.No.144/3B bought vide sale deed bearing document number 760/2000 measuring an extent of 5.07acres situated at Puthur Village, Velagoundapatti taking into account and based on the letter of closure of Loan Amount and return of the deposit of title deeds issued by the respondent bank dated 12.02.2015 and 24.03.2015 within a reasonable time frame by this Court.

For Petitioner : M/s.B.Jagannath

For respondent : M/s.Sampath Kumar Associates.

O R D E R

With the consent of both sides, the Writ Petition is taken up for final disposal.

2.The petitioner has come up with the present writ petition for issuance of writ of mandamus to direct the respondent bank herein to execute a "Deed of Cancellation of Mortgage" in favour of the petitioner herein in respect of properties bearing (1) Survey No.271/2A bought vide sale deed bearing document No.840 of

2004 measuring to an extent of 2.69 acres situated at Pommapatti Village (2) Survey No. 217/2A bought vide sale deed bearing Document No. 797/2004 measuring to an extent of 2.69 acres situated at Pommapatti village (3) Survey No. 271/2A bought vide sale deed bearing document No. 884/2000 measuring to an extent of 0.36 acres situated at Pommapatti village (4) Survey No. 144/3A bought vide sale deed bearing document No. 760 of 2000 situated at Puthur Village, Velagoundapatti (5) S.No. 144/3B bought vide sale deed bearing document number 760/2000 measuring an extent of 5.07 acres situated at Puthur Village, Velagoundapatti taking into account and based on the letter of closure of loan amount and return of the deposit of title deeds issued by the respondent bank dated 12.02.2015 and 24.03.2015 within a reasonable time frame by this Court.

3. Today, when the matter is taken up for consideration, the learned counsel appearing for the respondent/Bank submitted that on 20.11.2015 itself "Deed of Cancellation of Mortgage" was executed vide document No. 2992 of 2015. He has also produced the copy of the same before this Court.

4. Recording the submission so made by the learned counsel appearing for the respondent/Bank, this writ petition is closed. No costs.

Sd/-
Asst. Registrar (CS VII)

/true copy/

Sub Asst. Registrar

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To

1 cc to Mr. B. Jaganath, Advocate, Sr. 11567

W.P.Nos. 36737 of 2015

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