

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.7.2017

C O R A M

The Honourable Mr.JUSTICE S. MANIKUMAR
and
The Honourable Ms.JUSTICE V. BHAVANI SUBBAROYAN

W.P.Nos.14383 and 14384 of 2017

C.R.RamacharyPetitioner in W.P.14383 of 2017

M/s. Babu Dress Land
rep. by its Proprietor
Mrs.Sabitha Ramachary
Chennai.

... Petitioner in W.P.14384 of 2017

Vs

1.Indian Overseas Bank
rep. by its Chief Manager
Head Office
D.No.763 Anna Salai
Chennai 600 002.

2.Indian Overseas Bank
Regional Office
Plot No.40, 80 feet Road
Arignar Anna Nagar
Madurai 625 020.

3.Indian Overseas Bank
rep. by its Branch Manager
No.23 New Agraharam
Palani Road
Dindigul 624 001.

... Respondents 1 to 3 in
both petitions

4. Mr.Subramaniam

... Fourth Respondent in
W.P.14383 of 2017

Writ Petitions filed under Article 226 of Constitution of India, to issue a Writs of mandamus, directing the respondents 1 to 3 ,to consider and dispose of the representation, dated 11/3/2017, within a stipulated period.

For Petitioner : Mr.M.Raja Sekhar

For Respondents : Mr.K.S.Karthick Raja

C O M M O N O R D E R

(Order of the Court was made by S.Manikumar,J)

Both the borrower as well as guarantor have mortgaged the property, bearing Door No.W4/B8/163/2, a vacant site, to an extent of 94.11 cents or thereabouts comprised in S.Nos.294 and 295/2 Periakulam Main Road, Sukkuvadanpatty, Unjampatty, Theni District. According to them, they have discharged the entire loan amount. But the documents pledged have not been released and in such circumstances, made a separate representations, dated 11/3/2017, to the respondents 1 to 3, for release of documents.

2. Responding to the above, Assistant General Manager, Indian Overseas Bank has sent a letter, dated 16/3/2017, to the borrower, stating that request, dated 11/3/2017, has been forwarded to Theni Allinagaram Branch and Regional Office, Madurai, for information and necessary action.

3. Contending inter alia that there is no further progress, both the borrower as well as guarantor have filed two separate petitions, in W.P.Nos.14383 and 14384 of 2017, for a mandamus, directing the respondents 1 to 3, to consider and dispose of the representation, dated 11/3/2017, within the stipulated time that may be fixed by this Court.

4. Though, as a matter of right, such prayer cannot be ordered, Mr.K.S.Karthick Raja, learned counsel appearing for M/s.Indian Overseas Bank, submitted that their representations would be considered, as per the Bank's letter, dated 11/3/2017, within a period of four weeks from today.

5. With the above direction, these writ petitions are disposed of. No costs.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

mvs.

To

1. The Chief Manager
Indian Overseas Bank, Head Office
D.No.763 Anna Salai,
Chennai 600 002.
2. Indian Overseas Bank
Regional Office, Plot No.40, 80 feet Road
Arignar Anna Nagar,
Madurai 625 020.
3. The Branch Manager
Indian Overseas Bank,
No.23 New Agraharam
Palani Road, Dindigul 624 001.

+2cc's to Mr.M.Raja Sekhar, Advocate, S.R.Nos.48568 & 48569

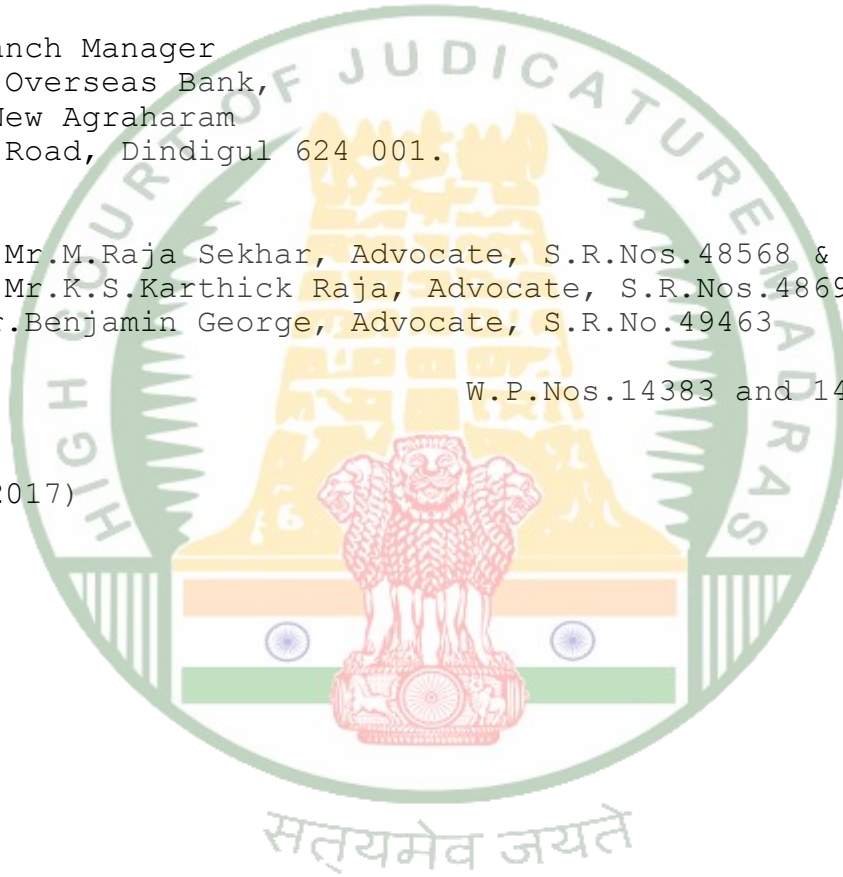
+2cc's to Mr.K.S.Karthick Raja, Advocate, S.R.Nos.48696 & 48695

+1cc to Mr.Benjamin George, Advocate, S.R.No.49463

W.P.Nos.14383 and 14384 of 2017

CS VI

CA(27/07/2017)



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