

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.03.2017

Coram

The Honourable **Mr.HULUVADI G.RAMESH,**
ACTING CHIEF JUSTICE

and

The Honourable **Mr.Justice RMT.TEEKA RAMAN**

W.P. NO.24704 OF 2014 &
W.M.P.NO.38014 OF 2016

S.Kesavan

.. Petitioner

versus

The Authorized Officer,
Central Bank of India,
Pallavaram Branch,
Chrompet,
Chennai-600 044.

.. Respondent

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorarified Mandamus, to call for the records of the Debts Recovery Appellate Tribunal, Chennai in respect of the order passed in RA (SA) 143 of 2012 by its Chairperson on 18.8.2014, quash the same and to direct the respondent bank to return the documents of title deposited with the bank while creating

equitable mortgage.

For Petitioner : Mr. T.Ravikumar

For Respondents : Mr.T.M.Hariharan

ORDER

(Judgment of the Court was made by
THE CHIEF JUSTICE)

When this Writ Petition is taken up for consideration, the learned counsel appearing for the petitioner submitted that the entire amount has been settled having deposited the same before the Debts Recovery Tribunal. The learned counsel would submit that the original documents lying with the respondent bank which were deposited while creating equitable mortgage may be directed to be returned to the petitioner.

2. The learned counsel appearing for the respondent bank has undertaken to return all the original documents as soon as they obtained money from the Debts Recovery Tribunal.

3. In view of the above, the Writ Petition is disposed of. The respondent bank shall return the documents forthwith as soon as they receive the money from the Tribunal, preferably within a month. No costs. Consequently, connected WMP is closed.

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(H.G.R., A.C.J.) (T.K.R., J.)
16.03.2017

To

The Authorized Officer,
Central Bank of India,
Pallavaram Branch,
Chrompet,
Chennai-600 044.

HULUVADI G.RAMESH, A.C.J.

and

RMT.TEEKAA RAMAN, J.

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