



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.11.2017

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD)No.10739 of 2017

M.K.Kannan

... Petitioner

Vs.

The Branch Manager,
Indian Bank,
Avaiapuram Branch,
Madurai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus directing the respondent to return the original documents of the petitioner on considering the petitioners representation dated 13.03.2017.

For Petitioner	: Mr.K.Samidurai
For Respondent	: Mr.Pala.Ramasamy

ORDER

This writ petition has been filed, seeking to direct the respondent to return the original documents of the petitioner on considering the petitioners representation dated 13.03.2017.

2.Heard both sides.

3.By consent, the writ petition is taken up for final disposal at the stage of admission itself.

4.The Petitioner would submit that he availed housing loan from the respondent bank in the year 2005. Though he settled the entire loan amount during February, 2017, the bank has not returned the original documents produced by him at the time of availing loan.



Hence, he sent a representation dated 13.03.2017 to the respondent requesting to return the documents. Since the documents were not returned, the petitioner is before this Court.

WEB COPY

5.The learned counsel appearing for the respondent Bank, on instructions, submitted that the loan is not settled in full by the petitioner and hence, they did not return the documents.

6.During the course of arguments, the learned counsel for the petitioner submitted that the brother of the petitioner, who is the actual borrower of the loan, is now inclined to settle the entire arrears as one time settlement.

7. Under such circumstances, this Court, without going into the merits of the case, directs the petitioner to place the necessary proposal before the respondent bank within a period of two weeks from the date of receipt of a copy of this order and on such submission, the respondent is directed to consider the same and pass appropriate orders after affording an opportunity of hearing to the petitioner, within a period of six weeks therefrom.

8. The writ petition is disposed of in the above terms. No costs.

Sd/-

Assistant Registrar (CS-III)

/True Copy/

Sub Assistant Registrar

To

+1cc to M/S.K.SAMIDURAI, Advocate SR.No.88264.

+1cc to M/S.PALA.RAMASAMY, Advocate SR.No.88411.

ORDER MADE IN
W.P (MD) No.10739 of 2017
20.11.2017