

**HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA
PRADESH**

THURSDAY, THE FOURTH DAY OF JUNE,
TWO THOUSAND AND FIFTEEN

:PRESENT:

**THE HON'BLE SRI JUSTICE R.SUBHASH REDDY
AND
THE HON'BLE SRI JUSTICE A.SHANKAR NARAYANA**

WP .NO: 1665 of 2015

Between:

M.S.V. Constructions,

Rep. by its sole proprietor, Mahankali Subba Rao, s/o Venkateswarlu,

Business, r/o D.No.11-2-51/1, Navodaya Nagar, Narasa Rao Pet, Gtunnr (Dt).

..... Petitioner

AND

1 The Authorised Officer-cum-Branch Manager, Indian Bank, D.No.6-1-211/212, Main Road, Bank Street, Arundelpet, Narasarao Pet, Guntur (Dt).

2 Indian Bank, D.No.6-1-211/212, Main Road, Bank Street, Arundelpet, Narasarao Pet, Guntur (Dt). Rep. by its Chief Manager.

.....Respondents

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein, the High Court may be pleased to issue a Writ of Mandamus or any other appropriate writ, or order, or direction in the nature of a Writ, declaring the action of the respondents in not returning the sale deeds of the petitioner deposited in connection with S.O.D. account No.6125900789 of the petitioner eventhough the entire debt was discharged as arbitrary, unjust, without authority and illegal and to direct the respondents to forthwith return the same.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri G. Pedda Babu, Advocate for the Petitioner and Sri G.L.V. Ramanamurthy, Standing Counsel for the Respondents, the Court made the following

ORDER:

The Writ Petition was admitted on 02.02.2015 and thereafter, it was listed on 02.06.2015.

It is the case of the petitioner that though entire loan amount was repaid by him, respondent – Bank is not returning the title deeds deposited by him only on the ground that his guarantors are also guarantors to some third parties against whom investigations are pending. Precisely, it is his case that even if his guarantors are guarantors of third party transactions, the same is of no ground to withhold the title deeds deposited by him when entire loan amount was repaid.

Though there is appearance of Sri G.L.V. Ramanamurthy for respondent No.2, when the matter is called, there is representation on behalf of respondent No.2. In the absence of any counter and representation on behalf of respondent No.2, we deem it appropriate to direct respondent No.2 to be present in person on the next date of hearing to answer the allegations of the petitioner.

Registry is directed to list this matter on 25.06.2015. If counter affidavit is filed by respondent No.2, by serving a copy of the same on the learned counsel for petitioner, on or before 24.06.2015, presence of respondent No.2 is not necessary as directed above.

ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To

- 1 The Authorised Officer-cum-Branch Manager, Indian Bank, D.No.6-1-211/212, Main Road, Bank Street, Arundelpet, Narasarao Pet, Guntur (Dt).
- 2 The Chief Manager, Indian Bank, D.No.6-1-211/212, Main Road, Bank Street, Arundelpet, Narasarao Pet, Guntur (Dt). **(By RPAD)**
- 3 One CC to Sri G. Pedda Babu, Advocate (OPUC)
- 4 Two spare copies.

nnr

HIGH COURT

**RSR,J
&
ASN,J**

DATED: 04-6-2015

NOTE: List on 25-6-2015

ORDER

W.P.NO. 1665 OF 2015

DIRECTION

HIGH COURT

Nnr

Date of Drafting : 05-06-2015

**RSR,J
&
ASN,J**

DATED: 04-6-2015

NOTE: List on 25-6-2015

ORDER

W.P.NO. 1665 OF 2015

DIRECTION