

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.12.2018

CORAM

THE HONOURABLE Mrs. JUSTICE PUSHPA SATHYANARAYANA

W.P.No.30623 of 2018

Aaisha

.. Petitioner

Vs.

1. The Sub Registrar (Joint No.I),
Joint No.I Sub Registrar Office,
Saidapet, Chennai.

2. The Manager,
HDFC Bank Limited,
Kandanchavadi Branch,
Perungudi, Chennai 600 096

.. Respondents

PRAYER : Writ Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the first respondent to consider the petitioner's representation in favour of the second respondent subsidiary HDB Financial Services Limited to create equitable mortgage for availing the mortgage loan against the petitioner's land and building situated at Old Door No.L-1282, New Door No.116, 6th Main Road, Thiruvalluvar Nagar, Thiruvanniyur, Chennai 600 041 on the petitioner's representation dated 02.11.2018.

For Petitioner : Mr.S.Radhakrishnan

For Respondent-1 : Mr.T.M.Pappiah
Special Government Pleader

For Respondent-2 : R2-Not ready in notice.

WEB COPY
O R D E R

The petitioner has come up with this Writ Petition seeking a direction to the first respondent to create equitable mortgage with the second respondent's Bank for availing mortgage loan against her land and building situated at Old Door No.L-1282, New Door No.116, 6th Main Road, Thiruvalluvar Nagar, Thiruvanniyur, Chennai 600 041, by considering her representation dated 02.11.2018.

2. According to the learned counsel for the petitioner, the petitioner has submitted a representation dated 02.11.2018 seeking to create equitable mortgage in favour of HDB Financial Services Limited for availing mortgage loan, but the same is yet to be disposed of by the first respondent.

3. Heard Mr.T.M.Pappiah, learned Special Government Pleader on behalf of the first respondent.

4. Considering the facts and circumstances of the case and the submissions made on either side, this Court, without expressing any opinion on the merits of the representation, directs the first respondent to consider the petitioner's representation dated 02.11.2018 and pass appropriate orders, on merits and in accordance with law, after issuing notice to the petitioner and the second respondent herein and also affording due opportunity of hearing to the petitioner, second respondent herein as well as any of the interested parties, within a period of four weeks from the date of receipt of a copy of this order.

5. With the above directions, this writ petition stands disposed of. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

Srn

To

1. The Sub Registrar (Joint No.I),
Joint No.I Sub Registrar Office,
Saidapet, Chennai.

2. The Manager,
HDFC Bank Limited,
Kandanchavadi Branch,
Perungudi, Chennai 600 096

+1 cc to the Government Pleader, SR No.83635

W.P.No.30623 of 2018

mr(co)
ssm(28/12/18)