



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.03.2019

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD) No.13789 of 2017

R.Madurai veeran

... Petitioner

Vs

1. The Chief Manager,
Oriental Bank of Commerce,
Spencer Plaza, Simmakal,
Madurai- 625 001.

2. S.Vijayarani

(R2 is impleaded vide Court order
dated 20.09.2018 in
W.M.P. (MD) No.18546 of 2017)

... Respondents

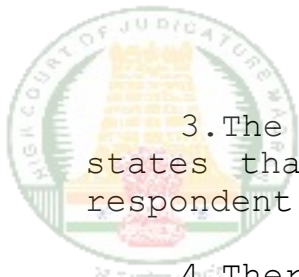
PRAYER :Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent to return back the original documents and title deeds in respect of the petitioner's property bearing Door No.3, Old No.156, Anna Main Street, Jaihindpuram, Madurai-11, within the time stipulated by this Court.

For Petitioner	: Mr.S.Sethuraman
For R1	: Mr.Pala Ramasamy
For R2	: Mr.R.Karthick

ORDER

Heard the learned counsel on either side.

2.The petition mentioned documents were mortgaged by the petitioner's mother with the first respondent bank and a loan was availed. It is not in dispute that the loan liability has been settled in full. The petitioner's mother passed away. The petitioner now wants the documents back. The first respondent bank took the stand that since there is one another legal heir, it is not possible to return the document to the writ petitioner. Therefore, the petitioner impleaded the petitioner's sister as the second respondent in this writ petition.



3.The learned counsel appearing for the second respondent states that the second respondent has no objection for the first respondent to hand over the document to the writ petitioner.

4.Therefore, this Court directs the first respondent to hand over the document to the writ petitioner forthwith and without any delay.

5.Accordingly, this writ petition stands allowed. No costs.

Sd/-
Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar

+1 CC to M/s.S.SETHURAMAN, Advocate (SR-57996[F] dated 01/04/2019)
+1 CC to M/s.PALA.RAMASAMY, Advocate (SR-58081[F] dated 01/04/2019)
+1 CC to M/s.R.J.KARTHICK, Advocate (SR-58153[F] dated 01/04/2019)

PNN

TE : 02/04/2019 : 2P/4C

W.P. (MD) No.13789 of 2017
29.03.2019