



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 12.11.2019

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM
and
THE HONOURABLE MRS.JUSTICE R.THARANI

W.P.[MD]No.23099 of 2019

Arun

: Petitioner
Vs.

1. Central Bank of India,
Karur Branch,
Rep. by its Manager,
No.45/E/1, 2. 1st Floor,
Sengunthapuram Main Road,
Karur,
Karur District.

2. Central Bank of India,
Pettavaithalai Branch,
Rep. by its Branch Manager,
Karur Main Road,
Pettavaithalai,
Srirengam Taluk,
Trichy District.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus, directing the respondent bank to return the original title deeds and documents those are deposited for loan account Nos.1)1960310092, 2)1960310105 and 3)1960310116 by concluding the said loan accounts within time frame fixed by this Court on the basis of petitioner's representation dated 17.10.2019.

For Petitioner : Mr.T.Vadivelan

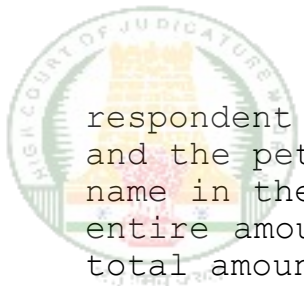
For Respondents : Mr.R.Pandivel

O R D E R

[Order of the Court was made by **T.S.SIVAGNANAM, J.**]

Heard Mr.T.Vadivelan, learned Counsel appearing on behalf of the petitioner and Mr.R.Pandivel, learned Counsel appearing on behalf of the respondents.

2. This writ petition has been filed by the petitioner one Mr.Arun, son of Ramanathan, for a direction upon the respondent bank to return the original title deeds which were deposited by his father Late.Ramanatham, to secure three loan transactions availed by him from the respondent bank. The petitioner's case is that the



respondent Bank offered One Time Settlement for all the three loans and the petitioner accepted the same, opened the bank account in his name in the second respondent branch on 30.05.2019 and deposited the entire amount and the same is available in the bank account and the total amount available in the account is Rs.3,36,173/-.

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3.It is submitted by the petitioner that this amount can be adjusted towards the three loan accounts and loan accounts be closed and the respondent bank should be directed to return the original title deeds.

4.The learned Standing Counsel, on instructions, submitted that apart from the petitioner, there are several legal heirs to his father Ramanathan and unless and until the legal heirship certificate is produced and no objection certificate is given by the other legal heir in the manner approved by the respondent bank, the request of the petitioner cannot be complied with.

5.Learned Counsel for the petitioner submitted that the petitioner is willing to produce all the records, no objection certificate etc., as required by the respondent bank and the claim may be directed to be passed.

6.In the light of the above, we direct the petitioner to comply with all the requirements as insisted by the respondent bank, produce legal heir certificate, no objection certificate in the appropriate form as approved by the respondent bank and upon compliance of all the requirements, the respondent bank shall consider and return the title deeds to the petitioner. This direction be complied with by the respondent bank within four [4] weeks from the date on which all the documents are produced by the petitioner to the satisfaction of the respondent bank.

7.With the above direction, the Writ Petition stands disposed of. However, there shall be no order as to costs.

Sd/-

Assistant Registrar (Records)

// True Copy //

Sub Assistant Registrar(CS)

MR

+1 CC to M/s.T. VADIVELAN, Advocate (SR-97551[F] dated 12/11/2019)

+1 CC to M/s.R. PANDI VEL, Advocate (SR-97536[F] dated 12/11/2019

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