

HON'BLE SRI JUSTICE T.AMARNATH GOUD

WRIT PETITION No.3958 OF 2018

ORDER:

This writ petition, under Article 226 of the Constitution of India, is filed by the petitioner seeking the following relief:

“For the reasons stated in the accompanying Affidavit, in the interest of Justice, it is humbly prayed that this Hon'ble Court may be pleased to issue a Writ, Order or Directions, more particularly one in the nature of Writ of Mandamus, by declaring the action of the Respondent herein for not release the Original Registered Sale Deed to the Petitioner as bad, illegal, arbitrary, discriminatory, void, violative of the Service Rules and also violative of the Article 14, 19 and 21 of the Constitution of India and consequently direct the Respondents herein:

- a) To direct the Respondent - Bank herein to release the Original Registered Sale Deed Document No.8753, Dated 27.10.2006, at the Sub-Registrar, Malkajigiri, Hyderabad, in pursuance to the “No Dues Certificates” Dated 25.07.2008 and Dated 16.10.2017 respectively in the Housing Loan A/c.No.30084298776, Personal Loan A/c.No.30093257546 and the Education Loan A/c.No.30070838264 to the Petitioner herein;
- b) To award costs;
- c) And pass such other Order or further Orders as this Hon'ble Court may deem fit, proper and necessary in the circumstances of the case.”

2. Heard Sri A.Nagendra Rao, learned counsel appearing for the petitioner and Sri M.P.Sanjay, learned Standing Counsel for the respondent Bank.

3. The case of the petitioner is that he was sanctioned Housing Loan of Rs.9,67,000/- in Account No.30084298776 by pledging the original registered Sale Deed bearing Document No.8753, dated 27.10.2006, and he was also sanctioned a Personal Loan in Account No.30093257546 and Education Loan in Account No.30070838264 and the said loans were completely repaid. No Due Certificates, dated 25.07.2008 & 16.10.2017, were also issued by the respondent Bank

stating that the petitioner has no dues to be recovered against the above said loan accounts.

4. The main grievance of the petitioner is that the petitioner has submitted a representation, dated 05.12.2017, to the respondent Bank requesting to release the original registered Sale Deed bearing Document No.8753, dated 27.10.2006, in pursuance of the No Due Certificates, dated 25.07.2008 & 16.10.2017, issued by the respondent Bank, but the same is not being considered and disposed of by the respondent Bank.

5. Having perused the record, this Court feels that it is just and proper to dispose of the writ petition by directing the respondent Bank to consider the representation, dated 05.12.2017, submitted by the petitioner requesting to release the original registered Sale Deed bearing Document No.8753, dated 27.10.2006, to the petitioner in pursuance of the No Due Certificates, dated 25.07.2008 & 16.10.2017, issued by the respondent Bank pertaining to the Housing Loan Account No.30084298776, Personal Loan Account No. No.30093257546 & Educational Loan Account No.30070838264, and pass appropriate orders, in accordance with law, as expeditiously as possible, preferably within a period of fifteen (15) days from the date of receipt of a copy of this order.

6. With the above observations, the Writ Petition is disposed of. There shall be no order as to costs.

Miscellaneous Petitions, if any pending, shall stand closed.

T.AMARNATH GOUD, J

Date: 26th April, 2019
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