



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.12.2020

CORAM:

THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

W.P(MD).No.18337 of 2020
(Through Video Conference)

R.V.Prasanna Venkatesan

.. Petitioner

Vs.

1.The Regional Manager,
Lakshmi Vilas Bank,
Trichy.

2.The Branch Manager,
Lakshmi Vilas Bank,
Trichy Main Branch,
Trichy - 620 008.

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India for issuance of Writ of Mandamus, to direct the respondents to consider the petitioner's representation dated 18.01.2017 and 26.11.2019 in accordance with law, within a stipulated time period.

For Petitioner

: Mr.C.Muthu Saravanan

For Respondents

: Mr.Muthiah, Standing Counsel

O R D E R

This Writ Petition has been filed for a Mandamus seeking for a direction to the respondents to consider the petitioner's representations dated 18.01.2017 and 26.11.2019, seeking for return of the title deeds deposited by the petitioner's aunt Rukmaniammal when the petitioner's late father S.V.Ramani Iyer borrowed money from the second respondent on 06.12.1998.

2. Heard Mr.C.Muthusarvanan, earned counsel for the petitioner and Mr.Muthiah, standing counsel, accepts notice on behalf of the respondents.

3.By consent of both parties, this writ petition is taken up for final disposal at the admission stage itself.

4.It is the case of the petitioner that in the Lok Adalat proceedings, the petitioner had settled the dues of the second respondent under the loan availed by his late father and has also discharged the loan. The petitioner has also produced before this Court a communication of the second respondent, stating that the petitioner has discharged the loan under a one time settlement scheme. It is the case of the petitioner that as a collateral security, the property of his aunt was mortgaged with the second respondent. However, according to the petitioner, despite the



discharge of the loan, till date, the second respondent not returned the title deeds of the property mortgaged by the petitioner's aunt Rukmaniammal. He has given representations on 18.01.2017 and 26.11.2019 to the second respondent, requesting them to return the original title deeds pertaining to his aunt's property. However, according to the petitioner, till date, the said representations have not been considered. In such circumstances, this writ petition has been filed.

5.The relief sought for in this writ petition is an innocuous relief. The petitioner claims that he has discharged the loan availed by his late father S.V.Ramani Iyer from the second respondent bank. He also claims that while availing the loan as a security, the petitioner's aunt's property was mortgaged. It is his case that despite discharging the loan, the second respondent's bank has not returned the original title deeds with respect to the petitioner's aunt's property. The petitioner has also given representations on 18.01.2017 and 26.11.2019, seeking for release of the title deeds pertaining to his aunt's property. No prejudice will be caused to the respondents, if the petitioner's representations are considered by them on merits and in accordance with law, after hearing all the necessary parties, including the petitioner's aunt Shrimathi Rukmaniammal.

6.For the foregoing reasons, this Court directs the second respondent to consider the petitioner's representations dated 18.01.2017 and 26.11.2019, seeking for release of the original title deeds pertaining to the petitioner's aunt Shrimathi Rukmaniammal's property, which was mortgaged by her while the petitioner's late father S.V.Ramani Iyer availed a loan with the second respondent under loan account No.07316590000000057 and pass final orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

7.With the aforesaid direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.



To:

1.The Regional Manager,
Lakshmi Vilas Bank, Trichy.

2.The Branch Manager,
Lakshmi Vilas Bank,
Trichy Main Branch,
Trichy - 620 008.

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