

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 04.01.2021

CORAM

THE HONOURABLE MR. JUSTICE S.S.SUNDAR

W.P.No.9086 of 2014

1.P.G.Selvam
S/o.Gopal

2.R.Saravanan
S/o.Royer

... Petitioners

Vs.

1.The Branch Manager,
State Bank of India,
Marandahalli Branch,
Marandahalli Post,
Palacode Taluk,
Dharmapuri District.

2.The Regional Manager,
State Bank of India,
Vellore Region-IV Zonal Office,
Vellore Town & District.

... Respondents

Prayer: Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the first respondent to return the original sale deed dated 22.04.2004, which is registered as Document No.340 of 2004 on the file of the Sub Registrar, Marandahalli after receiving the entire amount towards redemption of mortgage loan availed in Account No.30574647224.

For Petitioners : Mr.Arundattan
for M/s.C.Munusamy

For Respondents : No appearance

ORDER

The learned counsel appearing for the petitioners state that they are ready to pay the entire amount, which is due. The petitioners are the subsequent purchasers who have purchased the property, after the creation of the mortgage in favour of the bank. Instead of approaching the Bank, the petitioners have approached this Court with the prayer to return the original sale deed dated 22.04.2004, which is

registered as document No.340 of 2004 immediately after issuing a notice on 03.02.2014. The petitioners, while issuing notice, have called upon the Bank to give a date to pay the loan amount due within a week, so as to enable the petitioners to discharge the entire mortgage loan due on the schedule property to the bank.

2.The petitioners state that they are willing to deposit the entire amount. It is open to the petitioners to settle the entire dues and thereafter seek release of mortgage. However they have not paid any amount. If there is any dispute with regard to quantum or other difficulties, the petitioners can approach the Civil Court for redemption of mortgage. Reserving such right of the petitioners to redeem the mortgage in accordance with law, this writ petition is closed. No Costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

tta

To

1.The Branch Manager,
State Bank of India,
Marandahalli Branch,
Marandahalli Post,
Palacode Taluk,
Dharmapuri District.

2.The Regional Manager,
State Bank of India,
Vellore Region-IV Zonal Office,
Vellore Town & District.

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PM(CO)
CB(12/02/2021)

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