



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25-11-2021

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

WP NO.13689 OF 2014

AND

MP NO.1 OF 2014

V.Rathika

..Petitioner

vs.

The Branch Manager,
State Bank of India,
Avadi Branch,
Branch Code - 2201,
301 - M.T.H. Road,
Avadi,
Chennai - 600 054.

..Respondent

Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondent to return the original documents of the properties which have been pledged by the petitioner's husband in the respondent-Bank for the loan received in the name of Revathy Bricks bearing Account No. 31572138890.

For Petitioner : Ms.Greetha Senthilkumar

For Respondent : Mr.M.L.Ganesh

O R D E R

The relief sought for in the present writ petition is to direct the the respondent to return the original documents of the properties, which have been pledged by the petitioner's husband in the respondent-Bank for the loan received in the name of Revathy Bricks bearing Account No. 31572138890.

2. The petitioner states that her husband late Mr.S.Veeran borrowed loan from the respondent-Bank. The husband of the petitioner died on 20.04.2012 and thereafter, the loan amount was settled.



3. The learned counsel appearing on behalf of the respondent-Bank made a submission that the respondent-Bank is ready and willing to hand over the original Title Deeds. However, the mother-in-law of the petitioner Mrs.Saroja had given a letter on 11.03.2014 to the respondent- Bank not to hand over the Title Deeds unless and until she and the petitioner jointly request for return of Title Deeds.

4. The mother-in-law, who is also the legal heir of the late Mr.S.Veeran, husband of the petitioner, the respondent-Bank could not able to hand over the documents to the petitioner. Thus, the respondent-Bank has not committed any lapses and if the legal heirs of the deceased Mr.S.Veeran jointly submitted an application, then the respondent-Bank is ready and willing to return all the original documents, which were pledged by the husband of the petitioner. Thus, the petitioner is at liberty to submit a statement along with her mother-in-law before the respondent-Bank, enabling the respondent-Bank to comply with the request of the petitioner.

5. With the abovesaid liberty, the writ petition stands disposed of. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS-IX)

//True Copy//

Sub Assistant Registrar

Svn

To

The Branch Manager,
State Bank of India,
Avadi Branch,
Branch Code - 2201,
301 - M.T.H. Road,
Avadi,
Chennai - 600 054.

WP 13689 of 2014

BS (CO)
RLP(06/12/2021)