



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.10.2021

CORAM:

THE HONOURABLE MR. JUSTICE R. MAHADEVAN

W.P. No. 22663 of 2021

S. Sambandham

.. Petitioner

Versus

The Branch Manager
Repco Home Finance Ltd.,
Kancheepuram Branch
No.119/51, Kamarajar Salai
1st Floor, Kancheepuram
Pin 631 501.

.. Respondent

Petition filed under Article 226 of the Constitution of India praying for issuing a Writ of Mandamus, directing the respondent to furnish Statement of Account regarding payment made from October, 2017 onwards in respect of Mortgage Loan Account No.1701820001112 and also the Loan Pass Book of the petitioner's son, S. Jayapandian in respect of the above Loan Account within a stipulated period as may be fixed by this Court.

For Petitioner : Mr. G. Dhanasekaran

O R D E R

According to the petitioner, his son by name S.Jayapandiyan, along with his other two sons and his wife, as co-applicants, borrowed a sum of Rs.20,00,000/- from the respondent bank on 21.9.2017 by mortgaging the immovable property admeasuring 2000.25 sq.ft., comprised in S.No.216 part, situate at Door No.1A/1, Upperikulam Street, Kancheepuram Taluk and District under the loan account No.1701820001112. Since the respondent has not issued loan pass book to his son, a legal notice was sent by registered post to the respondent as well as to the General Manager of the respondent Bank on 25.1.2021 calling upon them to issue loan pass book and furnish statement of account. At this stage, the petitioner's son S.Jayapandian expired due to physical ailments on 29.07.2021 and earlier, his wife by name S.Rajeshwari also expired on 28.06.2021 due to COVID 19. Pointing out the above facts, the petitioner sent a representation dated 9.9.2021 (sent by registered post to the respondent on 14.09.2021) requesting him to furnish statement



of account relating to the mortgage loan account and also to provide his son's membership loan pass book to him. Finding no response, the petitioner has filed the present writ petition.

2. Heard the submissions of the learned counsel appearing for the petitioner and perused the materials available on record.

3. Due to the untimely demise of the petitioner's son, the petitioner requested the respondent to furnish payment details with regard to the mortgage loan, so as to complete the other formalities. Such representation is unattended to by the respondent bank till date. In view of the same, the petitioner is before this Court.

4. Considering the facts and circumstances of the case and having regard to the submissions made by the learned counsel for petitioner, this Court, without going into the merits of the matter, directs the respondent to furnish the payment details with regard to the mortgage Loan Account No.1701820001112 and Loan Passbook of the petitioner's son, as sought for in the representation dated 09.09.2021, to the petitioner, within a period of four weeks from the date of receipt of a copy of this order.

5. Accordingly, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

msr/rsh

To

The Branch Manager,
Repco Home Finance Ltd.,
Kancheepuram Branch,
No.119/51, Kamarajar Salai,
1st Floor, Kancheepuram,
Pin 631 501.

+2cc to Mr.G.Dhanasekaran, Advocate, S.R.No.54308

WP No. 22663 of 2021

VG II(CO)
CB(12/11/2021)