



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.12.2021

CORAM :

THE HON'BLE MR.MUNISHWAR NATH BHANDARI,
ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKESEVALU

W.P.No.22367 of 2021

Dr.S.Anbu

..Petitioner

Vs.

1.The Branch Manager (Home Loan)
Bank of India
Thavalaikkuppam Branch
Puducherry.

2.M.Rathi

..Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying for a Writ of Mandamus directing the 1st respondent bank to receive the due amount for the loan borrowed by the 2nd respondent from the petitioner and on such receipt of the entire due amount to issue no due certificate, discharge of mortgage deed and the original sale deed of the property at Nos.24 and 25, Thiruchitrambalam Village, Vanur Taluk, Villupuram District comprised in Survey No. Re.S.No.25/11, Old S.No.32/12 admeasuring 0.75 cents, R.S.No.26/2, Old S.No.33/3 admeasuring 0.26 cents totalling to an extent of 1.01 Acres, Plot Nos.24 and 25 in Lakshmipathy Nagar Layout totalling to an extent of 2989 Square Feet (277.684 sq.meter) in buildup area of 1750 sq.ft., terrace house situated at Thiruchitramabalm village, Vanur Taluk, Villupuram District and direct the first respondent bank to deposit those documents to the First Additional District Judge, Tindivanam into the credit of O.S.No.25 of 2021 based on the representation of the petitioner dated 30.3.2021 to promote justice within a stipulated time.

For the Petitioner : Mr.C.Prabakaran



ORDER
(Order of the Court was made by
the Hon'ble Acting Chief Justice)

Learned counsel for the petitioner prays for dismissal of the writ petition with liberty to press the application pending consideration in the civil suit for specific performance.

2. As prayed, this writ petition is dismissed as withdrawn, with liberty as prayed for. There will be no order as to costs. Consequently, WMP No.23612 of 2021 is also dismissed.

Sd/-

Assistant Registrar (CS-VII)

//True Copy//

Sub Assistant Registrar

kpl

To:

The Branch Manager (Home Loan),
Bank of India,
Thavalaikkuppam Branch,
Puducherry.

+1cc to Mr.C.Prabakaran, Advocate SR. No.68029

W.P.No.22367 of 2021 &
WMP.No.23612 of 2021

SSI (CO)
PR (22/12/2021)