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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 30.07.2021
CORAM:
THE HON'BLE MRS.JUSTICE J. NISHA BANU
W.P.(MD).No.13132 of 2021

D.Jiji ... Petitioner

Vs.

The Branch Manager,
Indian Overseas Bank,
Mankarai,
Kanyakumari District. ... Respondent

Prayer: Writ petition filed under Article 226 of the Constitution of India, for the issuance of Writ of Mandamus, directing the respondent herein to release the original title deed vide Doc.No.1493/2003, dated 01.09.2003, measuring 56 cents in Re-Survey No.508/11 Killiyur Town Panchayat, which was furnished as secured assets to the Loan Account Number:074403211300024, along with "No Due" Certificate to the petitioner, in the light of the representation given by the petitioner dated 22.07.2021 within a reasonable time as may be fixed by this Court.

For Petitioner : Mr.H.Thayumanaswamy

For Respondent : Mr.N.Dilip Kumar

O R D E R

This Writ Petition has been filed praying for issuance of a Writ of Mandamus, to direct the respondent to release the original title deed vide Doc.No.1493/2003, dated 01.09.2003, measuring 56 cents in Re-Survey No.508/11 Killiyur Town Panchayat, which was furnished as secured assets to the Loan Account Number:074403211300024, along with "No Due" Certificate to the petitioner, in the light of the representation given by the petitioner dated 22.07.2021.

2. When the matter is taken up for hearing, the learned Standing Counsel appearing for the respondent would submit that the respondent is ready and willing to release the original title deed vide Doc.No.1493/2003, dated 01.09.2003, measuring 56 cents in Re-Survey No.508/11 Killiyur Town Panchayat, which was furnished as secured assets to the Loan Account Number:074403211300024, along with "No Due" Certificate to the petitioner, on production of indemnity bond to the value of the property, for which, the learned counsel for the petitioner has no objection and he was ready and willing to furnish the indemnity bond.

3. In the light of the submission made by the learned standing

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counsel appearing for the respondent, this Court, directs the petitioner to furnish indemnify bond as to the value of the property, as required by the respondent and on such event, the respondent is directed to release the document of the petitioner, within a period of four weeks thereafter.

4. With the above direction, the Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

MPK

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.

+1 CC to M/s.N.DILIP KUMAR, Advocate (SR-24812[F] dated 30/07/2021)

+1 CC to M/s.H.THAYUMANASAMY, Advocate (SR-25043[F] dated 02/08/2021)

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RD(12.08.2021) 2P 3C

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