

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.01.2022

CORAM

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P. No. 28332 of 2021

Dr.Sajan K.Hedge

.. Petitioner

Versus

1.The Principal Nodal Officer,
Customer Cre Centre,
Punjab National Bank,
Plot No.4, Sector -10,
Dwarka, New Delhi-110 075.

2.The PNB Housing Finance Ltd.,
Sundharsan Building,
14, Whites Road, Chennai-14.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents to consider the petitioner's representation dated 18.10.2021 and to issue a certificate that the sale deed dated 09.10.2000 is lost while it was in the custody of the second respondent.

For Petitioner : Mr. P.Sesubala Raja

O R D E R

The present writ petition has been filed seeking a direction to the respondents to consider the petitioner's representation dated 18.10.2021 and to issue a certificate that the sale deed dated 09.10.2000 is lost while it was in the custody of the second respondent.

2.The case of the petitioner is that he purchased a flat vide sale deed dated 09.10.2000 by availing loan for a sum of Rs.18,00,000/- from the second respondent Bank. It is the further case of the petitioner that he paid the entire loan amount due to the second respondent during the year 2012-2013. However, even after the discharge of the loan, the second respondent bank has not returned the original sale deed dated 09.10.2000, which was under custody of the said bank, for which, the petitioner made several representations to the second respondent to return his original document or to issue a certificate that the document is lost when it was in the custody of the second respondent. The same was not considered till date, the present writ petition has been filed before this Court.

3. The learned counsel for the petitioner submitted that this court may issue suitable direction to the second respondent to consider the petitioner's representation dated 18.10.2021 within the stipulated period as fixed by this Court.

4. Heard the learned counsel for the petitioner and perused the materials available on record. There is no adverse order passed against the respondents and hence, the presence of the respondents are dispensed with.

5. Considering the limited relief sought in this writ petition, this court, without going into the merits of the case, directs the second respondent to consider the petitioner's representation dated 18.10.2021 and return the original title deed dated 09.10.2000 in favour of the petitioner, if the petitioner is discharged the entire loan amount, on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

6. With the aforesaid direction, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CS-II)

//True Copy//

Sub Assistant Registrar

rli

To

1. The Principal Nodal Officer,
Customer Cre Centre,
Punjab National Bank,
Plot No.4, Sector -10,
Dwarka, New Delhi-110 075.

2. The PNB Housing Finance Ltd.,
Sundharsan Building,
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+1cc to Mr. P.Sesubala Raja, Advocate SR. No.790

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KSM (CO)
PR (24/01/2022)