



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.01.2022

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P. (MD) No.508 of 2022

R.V.Thirupathi Raja

... Petitioner

vs.

1.The Regional Officer,
Central Bank of India,
1st Floor, Raja Muthaiah Mandram,
Opposite to District Court,
Dr.Ambedkar Road,
Madurai.

2.The Branch Manager,
Central Bank of India,
Theni Branch,
3/6, Nattathi Nadar Commercial Complex,
N.R.T.Nagar Main Road,
Theni.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to hand over all original documents deposited by the petitioner in Memorandum of Deposit of Title Deed by way of Equitable Mortgage in Document No.3265 of 2010 while getting the loan which were given as security for the loan received from the respondents Bank and consider the petitioner's representation, dated 23.12.2021.

For Petitioner : Mr.K.Guhan
For Respondents : Mr.B.Rajesh Saravanan
Standing Counsel

O R D E R

Mr.B.Rajesh Saravanan, learned Standing Counsel, takes notice on behalf of the respondent/Central Bank of India.

2.It is complained by Mr.K.Guhan, learned counsel for the petitioner that the documents which had been deposited by way of Memorandum of Deposit of Title Deeds creating an Equitable Mortgage have not been returned by the respondent.

3.This statement is very strongly refuted and contested by Mr.B.Rajesh Saravanan, learned Standing Counsel for the respondent, who stated that unless the petitioner, his mother and his brother appear, the bank officials would not be in a position to handover the documents, and that therefore, if all three of them go over to the bank on any date, the documents would be returned. The



petitioner may take note of that particular aspect and go to the bank along with his mother and brother. I am confident that the necessary needful would be done. The petitioner, his mother and brother must identify themselves and give necessary letters as required by the respondent Bank.

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

Sd/-

Assistant Registrar (W)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

sjj

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.

TO

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+1 CC to M/s. K. GUHAN, Advocate (SR-1567[F]
dated 12/01/2022)

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