



W.P.(MD)No.4275 of 2021

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.08.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.4275 of 2021

R.Sundaram

... Petitioner

Vs

1.The Regional Manager,
Pandian Grama Bank,
(Now TamilNadu Grama Bank),
92, Sarvodaya Building,
Railway Feeder Road,
Virudunagar.

2.The Branch Manager,
Pandian Grama Bank,
(Now TamilNadu Gram Bank),
Kizhadi,
Sivagangai District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the respondents to return the original documents and execute the discharge receipt in respect of registered mortgage deed 741/1991 dated 05.06.1991 on the file of Joint Sub-Registrar-1, Madurai North in respect of Survey No.4/4, Kizhadi Village admeasuring an extend of 1 acre 15 cents executed by the petitioner and his family members in favour of bank within time frame that may be stipulated this Court.



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For Petitioner : Mr.V.P.Rajan
For Respondents : Mr.N.Dhilip Kumar
Standing Counsel

ORDER

Heard the learned counsel on either side.

2. The petitioner seeks return of the petition mentioned title documents.

The learned Standing Counsel appearing for the respondents confirms that the original documents mortgaged by the writ petitioner are very much available. However, the respondents are not sure if the mortgage dues have been cleared. The petitioner is directed to approach the Regional Officer, Tamilnadu Grama Bank, Sivagangai District within ten days from the date of receipt of a copy of this order. The Regional Officer shall verify in the meanwhile whether the mortgage dues have been cleared. If according to the respondents, the dues had been cleared, the original documents will be returned to the petitioner. If the mortgage dues have not been cleared, the petitioner will be informed about the dues payable by him.

3. It is, of course, open to the petitioner to accept the stand of the respondents and clear the liability or challenge the same in the manner known to law. The entire exercise shall be completed within a period of four weeks from the date of receipt of a copy of this order.



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4. This writ petition is disposed of. No costs.

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Index : Yes / No

Internet : Yes/ No

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G.R.SWAMINATHAN, J.

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