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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 02.03.2022
CORAM
THE HONOURABLE MR.JUSTICE **ABDUL QUDDHOSE**
W.P.(MD)No.3877 of 2022

V.T.S.Abdul Hameed ... Petitioner

vs.

Karur Vysya Bank
represented by its Senior Manager,
Palayamkottai Branch,Palayamkottai,
Tirunelveli District 627002. ... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondent to consider the petitioner's representation dated 04.01.2020 and to return the documents which were given as security in respect of Cash Credit Loan availed from the respondent Bank in Account No.1174223000000352 within a stipulated time fixed by this Court

For Petitioner :Mr.M.Saravanakumar

For Respondent :Mr.Pala.Ramasamy

O R D E R

This Writ Petition has been filed for a Mandamus seeking for a direction to the respondent to return the documents which were given as security in respect of Cash Credit Loan availed from the respondent Bank in Account No.1174223000000352 within a time frame to be fixed by this Court.

2.Heard Mr.M.Saravanakumar, learned Counsel for the petitioner and Mr.Pala.Ramasamy, learned Standing Counsel for the respondent.

3.Mr.Pala.Ramasamy, learned Standing Counsel for the respondent, on instructions, would submit that even though the petitioner has discharged the loan, since there is a dispute raised by another partner of the firm with regard to the return of title deeds, the Bank is not in a position to return the same to the petitioner.

4.Therefore, the learned Counsel for the petitioner seeks liberty of this Court to seek the relief sought for in this Writ Petition by filing a civil suit, as there are disputed questions of fact involved. The said statement is recorded.

5.Accordingly, this Writ Petition is disposed by granting liberty to the petitioner to approach the Civil Court for the relief

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that he has sought for in this Writ Petition. No costs.

Sd/-

Deputy Registrar (Accounts)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

cmr

+1 CC to M/s.M.SARAVANAKUMAR, Advocate(SR-9609[F] dated 02/03/2022)

W.P.(MD)No.3877 of 2022
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MGJ(17.03.2022) 2P 2C

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