



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. [MD]No.8673 of 2022

S.Natarajan

... Petitioner

Vs.

1.The Regional Manager,
Central Bank of India,
Raja Muthaiah Mandram,
Opposite to District Court,
Dr.Ambedkar Post,
Madurai-625 020.

2.The Branch Manager,
Central Bank of India,
Kayalpattinam Branch,
Thoothukudi District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to return back the petitioner's original property documents in Document No.1331/1996 dated 25.07.1996 by cancelling the mortgage taken place at the time of sanctioning education loans of the petitioner's son, Saravanakumar in Loan Account No.2081275568 and his daughter, Tamilarasi in Loan Account No.2081284164 on the basis of the award passed before the Lok Adalat held at Tiruchendur dated 23.08.2018 in Lok Adalat Case No.1 of 2018.

For Petitioner
For Respondents

: Mr.R.Maheswaran
: Mr.N.Dilip Kumar
Standing Counsel

O R D E R

This writ petition has been filed for a Mandamus seeking for a direction to return back the petitioner's original property documents registered as Document No.1331/1996 dated 25.07.1996, by cancelling the mortgage.

2.According to the petitioner, pursuant to a Lok Adalat Award dated 23.08.2018, the petitioner has discharged the entire educational loan availed for his son Saravanakumar in Loan Account No.2081275568 and his daughter Tamilarasi in Loan Account No.2081284164. The petitioner has produced documents along with this writ petition to substantiate his case that he has discharged the loan. It is also contended by the petitioner that his son



Saravanakumar is also no more. The petitioner has given a representation to the second respondent on 29.01.2022 seeking for return of the original documents, on account of the discharge of the two educational loans. Since the said representation has not been considered till date, the petitioner has filed this writ petition.

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3.Heard Mr.R.Maheswaran, learned Counsel appearing for the writ petitioner and Mr.N.Dilip Kumar, learned Standing Counsel who accepts notice on behalf of the respondents.

4.No prejudice would be caused to the respondents if the petitioner's representation as stated supra is considered on merits and in accordance with law after affording a fair hearing to the petitioner including granting him the right of personal hearing.

5.For the foregoing reasons, this Court directs the first respondent to pass final orders on the petitioner's representation dated 29.01.2022, seeking for return of the original property documents including the registered Document No.1331/1996 dated 25.07.1996 and also to cancel the said mortgage, in the light of the Lok Adalat Award dated 23.08.2018, within a period of eight [8] weeks from the date of receipt of a copy of this order after affording a fair hearing to the petitioner including granting him the right of personal hearing.

6.With the aforesaid direction, this Writ Petition stands disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar (AD-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

MR

TO

The Regional Manager,
Central Bank of India,
Raja Muthaiah Mandram,
Opposite to District Court,
Dr.Ambedkar Post, Madurai-625 020.

+1 CC to M/s.N.DILIPKUMAR, Advocate (SR-23138[F] dated 02/05/2022)

ORDER MADE IN
W.P. [MD]No.8673 of 2022
29.04.2022

SG(CO)GC(23.05.2022) 2P 3C