



W.P(MD)No.2131 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.12.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.2131 of 2019

and

W.M.P(MD)No.1706 of 2019

P.Balasubramaniam

... Petitioner

Vs

1.The Reserve Bank of India,
Represented by its Regional Manager,
Rajaji Road,
Chennai.

2.ICICI Bank,
Represented by its Branch Manager,
Thillai Nagar Branch,
11th Cross, Thillai Nagar,
Tiruchirappalli.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to return the sale deed which is the subject matter of loan agreement dated 30.06.2015 in respect of property in S.F.No.61A/1A total extent of 3379 sq.ft., situated in Pothanur village, Veeranampalayam Road, Paramathi Velur Taluk, Namakkal District, along with collateral deeds covered under the agreement.

For Petitioner : Mr.N.Shanmuga Selvam



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For Respondents : Mr.Pala.Ramasamy for R.1

No appearance for R.2

ORDER

Heard the learned counsel on either side.

2. The petitioner had availed housing loan from the second respondent.

The petitioner would claim that he had paid the entire dues. He now wants the deposited document to be returned. The petitioner may or may not have the case on merits. The fact remains that ICICI is a private sector Bank. The Hon'ble Apex Court reported in **(2003) 10 SCC 733 (Federal Bank Limited V. Sagar Thomas)** had held that writ petition will not lie against private banks.

3. Leaving open the writ petitioner's other rights and remedies, this writ petition is dismissed as not maintainable. The petitioner is having liberty to avail all such remedies open to him in the manner known to law. I make it clear that the time spent in prosecuting this writ petition will be excluded for the purpose of computing limitation. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

20.12.2022

Index : Yes / No
Internet : Yes/ No
NCC : Yes / No
MGA



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To

1. The Regional Manager,
Reserve Bank of India,
Rajaji Road,
Chennai.
2. The Branch Manager,
ICICI Bank,
Thillai Nagar Branch,
11th Cross, Thillai Nagar,
Tiruchirappalli.



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G.R.SWAMINATHAN, J.

MGA

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