



W.P.(MD)No.12573 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.08.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.12573 of 2022

B.Kabilan

... Petitioner

Vs

1.The Branch Manager,
Lakshmi Vilas Bank Limited,
D.No.285-M, 2A/9, KRS Complex,
1st Floor, Opposite to Bus Stand,
Main Road,
Oddanchathiram – 624 619.
Dindigul District.

2.The Registrar,
Debt Recovery Tribunal,
Madurai.
(R.2 is *suo motu* impleaded vide
Court order dated 05.08.2022)

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the respondent to return the documents which was deposited with him through the mortgage of deposit of title deeds registered as document No.598/2013 dated 01.04.2014 to the petitioner by considering petitioner's representation, dated 27.05.2022.



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For Petitioner : Mr.T.Lenin Kumar

For Respondents : Mr.S.I.Muthaiah
Standing Counsel for R.1

ORDER

Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the respondent Bank.

2. The petitioner had availed loan from the respondent Bank. He committed default. Therefore, the respondent Bank filed O.A.No.468 of 2015 on the file of the second respondent. The matter subsequently was settled. The entire dues payable to the Bank were paid. The Bank had also issued discharge certificates. Now the petitioner wants the documents back. Since this is a case of “suit filed account”, the original document has been filed before the Tribunal. Since the Bank has no objection for return of the documents to the writ petitioner the second respondent is directed to return the petition mentioned documents to the petitioner after obtain acknowledgment. This writ petition is allowed. No costs.

05.08.2022

Index : Yes / No

Internet : Yes/ No

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**Note: Registry is directed to mark a copy
of this order to the second respondent.**

To

- 1.The Branch Manager,
Lakshmi Vilas Bank Limited,
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Main Road,
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G.R.SWAMINATHAN, J.

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