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W.P.(MD)NO.27720 OF 2022

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED: 13.12.2022**

**CORAM**

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

**W.P.(MD)No.27720 of 2022**

K.Kumar

... Petitioner

Vs.

1. The Zonal Manager,  
Axis Bank Pvt. Ltd.,  
Pudukkottai District.

2. The Branch Manager,  
Axis Bank Pvt. Ltd.,  
Pudukkottai District.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 2<sup>nd</sup> respondent herein to return petitioner's original title deeds of documents based on the petitioner's representation dated 06.08.2022 within a specific time frame fixed by this Court.

For Petitioner : Mr.M.Rajarajan

For Respondents : Mr.P.Pethurajesh,  
Standing Counsel.

\* \* \*

**ORDER**

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Heard the learned counsel on either side.

2. The petitioner had availed loan from the respondent bank. The petitioner had committed default. The respondents filed O.A.No.241 of 2018 before the Debts Recovery Tribunal No.1, Chennai. During the pendency of the said proceedings, the petitioner has liquidated his liability. As on date, the petitioner does not owe anything to the respondent bank. The petitioner now wants the original title documents back. Since the respondents have not returned the same, the present writ petition has been filed.

3. When the matter was taken up for hearing, the learned Standing counsel appearing for the Axis Bank submitted that the loan liability of the petitioner has since been liquidated. However, the documents have been kept with the Debts Recovery Tribunal No.1, Chennai. The learned Standing counsel submitted that the direction may be issued to the Debts Recovery Tribunal No.1, Chennai for return of the documents.



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4. Accordingly, this writ petition stands disposed of with the following directions:-

a) The respondent bank is directed to apply to the Registrar of the Debts Recovery Tribunal No.1, Chennai, for return of the documents in question and the same will be returned immediately and without any delay.

b) After receiving the documents from the Debts Recovery Tribunal No.1, Chennai, the respondents bank shall hand over the same to the writ petitioner. The entire exercise will be completed within a period of six weeks from the date of receipt of a copy of this order.

No costs.

**13.12.2022**

Index : Yes / No  
Internet : Yes/ No  
PMU

**To:**

1. The Zonal Manager,  
Axis Bank Pvt. Ltd., Pudukkottai District.
2. The Branch Manager,  
Axis Bank Pvt. Ltd.,  
Pudukkottai District.
3. The Registrar, DRT-1, Chennai.



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**G.R.SWAMINATHAN,J.**

PMU

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