



W.P.No.2351 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.06.2023

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKEVALU

W.P.No.2351 of 2022

Abdul Hakeem
Mercury Transport
102/211, Lingi Chetty Street
Parrys, Chennai – 1.

.. Petitioner

Vs

HDFC Bank Ltd.
"CEEGBROS" 4th Floor
No.110, Nelson Manickam Road
Aminjikarai, Chennai – 600 029.

.. Respondent

Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus to direct the respondent to release the property bearing No.4/9, Carpenter Street, Perumbur, Chennai – 11, erected on the land comprised in R.S.No.5/24, T.S.No. 35, Block No.8 of Siruvallur Division, Puraswalkam, Perambur Taluk, Chennai District admeasuring a total extent of 2 grounds land.



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For the Petitioner : Mr.P.Sidharthan

For the Respondent : No appearance

ORDER

(Order of the court was made by the Hon'ble Chief Justice)

We have heard Mr.P.Sidharthan, learned counsel for the petitioner.

2. Learned counsel for the petitioner submits that in spite of the fact that a settlement has been arrived at and a no-objection certificate was issued by the bank, still the title deeds are not released in favour of the petitioner.

3. Learned counsel for the petitioner submits that the Securitisation Application has been disposed of. However, the bank proceeded with the Original Application and obtained a recovery certificate.



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4. If the bank has already obtained the recovery certificate in spite of the settlement (as contended by learned counsel for the petitioner), then the petitioner may take steps qua the recovery certificate and may take up proceedings with the Debts Recovery Tribunal for return of documents on its own merits. In that event, all contentions are kept open.

The writ petition is disposed of accordingly. There will be no order as to costs.

(S.V.G., C.J.)

(P.D.A., J.)

06.06.2023

Index : No
Neutral Citation : No

sasi

To:

The Manager
HDFC Bank Ltd.
"CEEEROS" 4th Floor
No.110, Nelson Manickam Road
Aminjikarai, Chennai – 600 029.



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THE HON'BLE CHIEF JUSTICE
AND
P.D.AUDIKESSAVALU,J.

(sasi)

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