



W.P.No.8075 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.03.2023

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P. No. 8075 of 2023

WMP.No.8334 of 2023

1. L.Murali

2. Gayathri

... Petitioners

Vs.

1. The Regional Manager,
Indian Bank,
66, Rajaji Salai,
George Town,
Chennai-1.

2. The Branch Manager,
Indian Bank,
Kancheepuram Branch,
No.46, Gandhi Road,
Kancheepuram.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the first respondent to hand over the original documents pertaining to the property bearing Door No.49, New No.21, Kamarajar Salai, Lakshmipuram, Thiruvanmiyur, Chennai-41 comprised in Survey No.985/A/2 measuring about 3000 sq. ft. standing in the name of late Mr.S.Lakshmanan to the petitioners herein forth with and direct the respondents to pay the adequate and appropriate compensation for their with-holding of documents pertaining to the above said property without any justice or



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cause illegally, unlawfully and unauthorizedly to the sum of Rs.1 Crore or more.

For Petitioner : Mr.V.Manohar

ORDER

By consent of both the parties, the writ petition is taken up for final disposal at the time of admission stage itself.

2. WMP.No.8334 of 2023 filed to permit the petitioners to file the writ petition jointly is allowed, subject to payment of separate sets of court-fee by the petitioners within two weeks from the date of receipt of a copy of this order. In default of compliance, the order passed in the writ petition shall be applicable only to the first petitioner.

2. The Writ Petition has been filed seeking a direction to the first respondent to hand over the original documents pertaining to the property bearing Door No.49, New No.21, Kamarajar Salai, Lakshmipuram, Thiruvanmiyur, Chennai-41 comprised in Survey No.985/A/2 measuring about 3000 sq. ft. standing in the name of late Mr.S.Lakshmanan to the petitioners herein forth with and direct the respondents to pay the adequate and appropriate compensation for their with-holding of documents pertaining to the above said property without



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any justice or cause illegally, unlawfully and unauthorizedly to the sum of Rs.1 Crore or more.

3. It is the grievance of the petitioner that the petitioner is the owner of the property bearing Door No.49, New No.21, Kamarajar Salai, Lakshmipuram, Thiruvannamiyur, Chennai-41 and the petitioner has borrowed loan from the first respondent Bank and the entire loan amount has also been settled in the year 2002. However, the first respondent Bank has not return the documents which was produced by the petitioner. Therefore, the petitioner has sent a legal notice on 01.03.2017 to the respondents for return of documents. Pursuant to which, the respondents sent a reply dated 05.05.2017 directing the petitioner to furnish certain documents. The petitioner has also furnished the required documents. However, the same was not considered till date. Hence, the present writ petition.

4. The learned counsel for the petitioner submitted that this Court may issue a direction to the first respondent to consider the petitioner's request and pass appropriate orders within the stipulated time as fixed by



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this Court.

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5. Heard the learned counsel for the petitioner and the learned Standing Counsel appearing on behalf of the respondents and perused the materials available on record.

6.Considering the facts and circumstances of the case and the limited request made by the learned counsel for the petitioners, this Court, directs the first respondent to consider the petitioners request and pass appropriate orders with regard to the return of original documents in respect of the subject property within a period of four weeks from the date of receipt of a copy of this order.

7.With the above direction, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are also closed.

16.03.2023

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Index : Yes/No

Internet : Yes/No



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To

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