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W.P.No.8658 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.03.2023

CORAM :

THE HON'BLE MR.T.RAJA, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.8658 of 2023

C.Nagalakshmi

.. Petitioner

Vs

1.The City Union Bank,
rep. by its Authorized Officer,
No.24-B, Ganthi Nagar,
Kumbakonam,
Thanjavur District – 612 001.

2.The Branch Manager,
City Union Bank,
No.24/38, Rajaji Salai (Opp. to PF Office),
Tambaram (West),
Chennai-600 045.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the respondents to return the petitioner's key and property documents No.1657 of 2012 relating to all that piece Plot No.120, admeasuring to extent of 2000 sq. ft., new Survey No.15/1A2 as per Patta No.4237, new Survey No.15/35, in the layout named "Rail Senthil Nagar" approval



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No.L.P.DM/DTP.No.21/71 situated in No.8, Ayyancheri Village, Chengalpet Taluk and Kancheepuram District (Now Chengalpet District) consequently direct the first respondent to redemption the petitioner's property.

For the Petitioner : Mr.K.Krishnan

For the Respondents : Mr.S.Anuradha Balaji

ORDER

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

C.Nagalakshmi, wife of Chandran, a resident of No.4, Rail Senthil Nagar, 2nd Street, Priya Nagar, Urapakkam Village, Chengalpet District, has filed this writ petition to direct the respondents to return the key of the secured asset and also return the property documents in respect of Plot No.120 measuring an extent of 2000 sq. ft. in the approved layout "Rail Senthil Nagar" situated at No.8, Ayyancheri Village, Chengalpet Taluk, Chengalpet District to the petitioner.

2. Learned counsel for the petitioner submitted that earlier the petitioner has challenged the auction notice dated 21.12.2022 in W.P.No.1324 of 2023. On 12.01.2023, while disposing of the said writ



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petition, this Court directed the petitioner to pay a sum of Rs.65.00 lakhs within a period of two weeks from the date of receipt of a copy of the order. Learned counsel for the petitioner would submit the order of this Court dated 12.01.2023 passed in W.P.No.1324 of 2023 has been duly complied with by the petitioner by paying Rs.65.00 lakh on 10.02.2023 itself by way of demand draft and the same was also acknowledged by the second respondent. Since the petitioner complied with the conditional order, she is entitled to get back the key of the residential premises. However, the second respondent has not returned the key to the petitioner till date. Hence, the petitioner has been advised to file the present writ petition.

3. Learned counsel appearing for the respondent bank submitted that within two days' time, the second respondent will handover the key to the petitioner, which the petitioner may be directed to collect from the second respondent bank.

4. In view of the above, the petitioner is directed to approach the second respondent bank either today or tomorrow during working hours to get back the key of the residential premises in question.



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5. Learned counsel for the respondent bank submitted that within three weeks' time, the title deeds will also be handed over to the petitioner.

6. Recording the aforesaid submission made by learned counsel for the respondent bank, the writ petition is closed. There will be no order as to costs.

(T.R., ACJ.) (D.B.C., J.)
20.03.2023

Index : Yes/No
Neutral Citation : Yes/No
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To:

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City Union Bank,
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