



W.P.No.11084 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.07.2023

CORAM

MR.JUSTICE N.SESHASAYEE

W.P.No.11084 of 2023

R.Anbazhagi

... Petitioner

Vs.

1.Punjab National Bank, Zonal Office,
Rep. by the Zonal Officer,
PNB Towers, No.46-49, 4th & 5th Floor,
RH Road, Royapettah,
Chennai-600014.

2.Punjab National Bank, Ambur Branch,
Rep. by its Branch Manager,
No.73, Broad Bazaar Road,
Ambur,
Thirupathur-635 802.

... Respondents

Prayer: The writ petition filed under Article 226 of the Constitution of India, to issue a writ of Mandamus, directing the 2nd respondent to return the title documents of the petitioner's property bearing Document No.1104 of 2000, on the file of the Sub-Registrar, Ambur and dated 28.04.2000.



W.P.No.11084 of 2023

For Petitioner : Mr.Sharath Chandran

For Respondents : Mr.K.Rajesh

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ORDER

The petitioner has filed this petition seeking the return of certain documents over which it had created an equitable mortgage with the respondent bank.

2.The respondent bank has filed its counter.

3.Mr.K.Rajesh, the learned counsel for the respondents submitted that the petitioner has availed the housing loan and that it has been fully discharged. Even when the housing loan was subsisting, the petitioner, her daughter and her husband jointly availed an education loan for their daughter, and an extended mortgage was created over the same security. Now, that loan is still outstanding.

4.Learned counsel for the petitioner would now submit that vis-a-vis the amount to be paid for discharging the education loan, there are some differences between the petitioner and the bank.



W.P.No.11084 of 2023

5.The petitioner is now required to approach the Ombudsman to work out her remedies.

6.As for the present case, since it is not in dispute that there is an extended mortgage created over the same security, nothing remains for consideration in this petition.

7.This Writ Petition stands closed accordingly. No Costs.

18.07.2023

Anu

Index : Yes / No

Neutral citation : yes/no

To

1.The Zonal Officer,
PNB Towers, No.46-49, 4th & 5th Floor,
RH Road, Royapettah,
Chennai-600014.

2.The Branch Manager,
No.73, Broad Bazaar Road,
Ambur,
Thirupathur-635 802.



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W.P.No.11084 of 2023

N.SESHASAYEE, J.
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W.P.No.11084 of 2023

18.07.2023