



W.P.No.30842 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.07.2023

CORAM :

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

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

W.P.No.30842 of 2022

N.Jeyamani

.. Petitioner

Vs

1.The Manager,
Central Bank of India,
No.28, Sri Vare Towers, Opp. SITRA,
Avinashi Road, Civil Aerodrome Post,
Coimbatore-641 014.

2.Swetha

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus to direct the respondent bank to consider the petitioner's representation dated 05.07.2022 and to direct the respondent to release the document No.2651 of 2000 dated 27.09.2000 to the petitioner.



W.P.No.30842 of 2022

WEB COPY

For the Petitioner : Mr.V.Maharajan

For the Respondents : Mr.D.Babu Varadharajan
for Mr.C.Ramaiah
for respondent No.1

ORDER

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

We have heard Mr.v.Maharajan, learned counsel for the petitioner and Mr.D.Babu Varadharajan, learned counsel for the first respondent.

2. Learned counsel for the petitioner submits that the husband of the petitioner was the owner of the property. After his death, the son of the petitioner mortgaged the property with the first respondent bank. The petitioner cleared the entire loan amount. The petitioner sought for title documents. The bank is not releasing the documents.



W.P.No.30842 of 2022

3. Learned counsel for the bank submits that the son of the petitioner had mortgaged the property and submitted the documents. Still more than Rs.10 lakh is due.

4. We may not enter into the said dispute. Admittedly, the petitioner has not mortgaged the property. The petitioner is not the absolute owner of the property even according to the petitioner. The petitioner may get her right established before the competent court of law. In that event, all contentions are kept open.

5. With these observations, the writ petition is disposed of. There will be no order as to costs.

(S.V.G., CJ.)

(P.D.A., J.)

31.07.2023

Index : Yes/No

Neutral Citation : Yes/No

bbr

To:

The Manager,
Central Bank of India,
No.28, Sri Vare Towers, Opp. SITRA,
Avinashi Road, Civil Aerodrome Post,
Coimbatore-641 014.



WEB COPY



W.P.No.30842 of 2022

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

bbr

W.P.No.30842 of 2022

31.07.2023