



WEB COPY



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 08.03.2023

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P.No.26368 of 2018

M/s.Saravana Textiles,
Rep. by Mr.R.Sadasivam
Proprietor,
Madukkarai Road, Madagadipet,
Puducherry 605 107.

... Petitioner

Vs.

1. The Indian Bank
Rep. by the Branch Manager,
Madagadipet Branch,
Pondy-Villupuram Main Road,
Madagadipet, Puducherry – 605 107.

2. Reliance Asset Reconstruction,
Rep. by its Manager,
Reliance Center,
6th Floor, North Wing,
Santacruz, Mumbai-400 055.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus directing the first respondent herein to return the documents in respect of the property belonging to the petitioner situated at R.S.No.95/2 & 63/2, Madagadipet Revenue Village,



Mannadipet Commune, Thirukkanoor, Puducherry given as security in respect of the loan transaction vide A/c.No.945698294, within a time frame.

For Petitioners : Mr.A.Tamilvanan

For Respondent : Mrs.S.R.Sumathy

ORDER

This Writ Petition has been filed seeking a direction to the first respondent herein to return the documents in respect of the property belonging to the petitioner situated at R.S.No.95/2 & 63/2, Madagadipet Revenue Village, Mannadipet Commune, Thirukkanoor, Puducherry given as security in respect of the loan transaction vide A/c.No.945698294, within a time frame.

2. It is the grievance of the the petitioner that he has obtained loan for developing his business in the year 2011 and he has cleared the loan dues in the year 2018. Therefore, the petitioner made request on 06.08.2018 to the respondents to release the title deeds. Even after the closure of loan account, the respondents have not released the title deed to the petitioner till date. Hence, the present petition.



WEB COPY

3. The learned counsel for the petitioner submitted that the petitioner has paid the entire loan due. However, the respondents have not released the title deeds. Therefore, this Court may issue a direction to the respondents to release the documents to the petitioner within the stipulated time as fixed by this Court.

4. The learned Standing Counsel appearing on behalf of the respondents submitted that the petitioner has availed two loans. If the petitioner has paid all the dues, the documents will be released within the stipulated period as fixed by this Court.

5. Heard the learned counsel for the petitioner and the learned Standing Counsel appearing for the respondents 1 and 2 and perused the materials available on record.

6. Considering the submission made by the learned Standing Counsel appearing on behalf of the respondents, this Court directs the first respondent to consider the petitioner's request and release the petitioner's title deed if the petitioner has cleared the entire loan dues,



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 is disposed of. No costs.

08.03.2023

Index: Yes/ No

Internet: Yes/No

rli



WEB COPY



M.DHANDAPANI,J.

rli

W.P.No.26368 of 2018

08.03.2023