



W.P.(MD)No.4113 of 2021

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.10.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD)No.4113 of 2021

M.Balan Armstrong

... Petitioner

Vs.

1.The Chief General Manger,
Reserve Bank of India,
Chennai - 600 001

2.The Union Bank of India,
Regional Office,
No.174, Sivasakthi Complex,
1st Floor, 10th Cross Street,
Thillai Nagar,
Trichy - 620 018.

3.The Bank Manager,
Union Bank of India,
(Andhra Bank)
Cantonment Branch,
26, Warners Road, Trichy -625 001.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, respondents No.1 and 2 to direct the 3rd respondent to return all the petitioner original title deeds of



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immovable property submitted by him for the grant of agriculture loan and to cancel the registration of Memorandum of Deposit of title deed Document No.956/2018 dated 21.03.2018 due to rejection of loan.

For Petitioner : Mr.A.Haja Mohideen

For R-2 & R-3 : Mr.Madhan Alexander

ORDER

This Writ Petition has been filed for the issue of writ of mandamus directing the respondent Bank to return back all the original title deeds to the petitioner which was given at the time of sanction of the agricultural loan which was subsequently cancelled.

2. When the matter was taken up for hearing, the learned counsel appearing on behalf of respondents 2 and 3 submitted that the petitioner had availed of two other loans and due to non payment, it was declared as “NPA” and proceedings have already been initiated by the respondent bank for recovery of the same before the Debt Recovery Tribunal. That apart, the memorandum of deposit of title deeds dated 21.03.2018 which was registered pertaining to the creation of an equitable mortgage in favour of the bank for the purpose of securing the repayment of loan to the Bank for all amounts owed to the Banks under advances



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made or to be made and therefore, the document that has been deposited by the petitioner is being retained towards two other loans which have not been repaid back to the petitioner.

3. In view of the above submission, the relief sought for by the petitioner in this writ petition cannot be granted by this Court and accordingly, the same stands dismissed. No costs.

12.10.2023

NCC:yes/no

Index:yes/no

Internet:yes/no

tsg

To

1.The Deputy Inspector General of Registration,
Registration Department,
Palayamkottai, Tirunelveli District.

2.The District Registrar,
Registration Department,
Palayamkottai,
Tirunelveli District.

3.The Sub-Registrar,
Kadambur Sub-Registrar Office,
Kovilpatti,
Thoothukudi District.



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N.ANAND VENKATESH, J.

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