



W.P(MD)No.800 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.01.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.800 of 2019

Devapriam

... Petitioner

Vs.

1.The Branch Manager,
Central Bank of India,
P.W.D. Road,
Nagercoil,
Kanyakumari District.

2.The Regional Manager,
Central Bank of India,
Raja Muthaiah Mandram,
Opposite to District Court,
Dr.Ambedkar Road,
Madurai – 20.

3.Kaviraj,
Proprietor of Friends Auto,
Chunkankadaï,
Kalkulam Taluk,
Kanyakumari District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to return the original Registration Certificate of the Auto bearing Registration



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No.TN-74AE-1323 with No Objection Certificate to the petitioner on the basis of the petitioner's representation dated 02.11.2018.

For Petitioner : Ms.M.Maria Vinola

For Respondents : Mr.B.Rajesh Saravanan,
Standing Counsel for R1 & R2.
No appearance for R3.

ORDER

Heard the learned counsel for the writ petitioner and the learned standing counsel for the respondents 1 and 2.

2.This writ petition has been filed for directing the respondents to return the original registration certificate in respect of the petition mentioned auto. None appears for the third respondent. In any event, no direction can be issued against the third respondent as he is a private party. The learned standing counsel for Central Bank of India submitted that since the petitioner had cleared the loan availed from them, they are ready to issue no objection certificate. However, the learned standing counsel maintains that the petitioner has not handed over the original registration certificate to the bank. I called upon the petitioner to furnish proof that the registration certificate was handed



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over to the bank. No such proof is forthcoming. Therefore, I cannot give any direction as sought for.

3.Recording the stand of the learned standing counsel that Central Bank of India would issue no objection certificate as sought for by the petitioner, the writ petition is disposed of. No costs.

02.01.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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G.R.SWAMINATHAN, J.

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