



W.P.(MD) No.12958 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.06.2023

CORAM:

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
AND
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

**W.P.(MD) No.12958 of 2023
and
W.M.P.(MD) No.10973 of 2023**

1.Maheswaran
2.R.Savithiri

... Petitioners

-VS-

The Canara Bank,
Rep. by its Chief Officer / Authorized
Officer, Vada Madurai Branch,
Dindigul District.

... Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondent to release / return the original partition deed dated 22.02.2017 registered as Document No.469 of 2017 on the file of the Sub-Registrar, Dindigul and the relinquishment deed dated 23.02.2017



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registered as Document No.510 of 2017 on the file of the Sur-Registrar, Dindigul within the period that may be stipulated by this Hon'ble Court.

For Petitioners : Ms.H.Jasima Yasmin
for M/s.Ajmal Associates

ORDER

[Order of the Court was made by R.SUBRAMANIAN, J.]

Admittedly, the properties of the father of the petitioners were given as a security for repayment of a loan borrowed by the sister of the petitioners. The sister had defaulted and the properties that were mortgaged have been sold. The petitioners now want return of the partition deed which was also deposited with the bank in order to create a security. Now that the property has been sold and the bank will have to hand over the documents to the purchaser and not to the petitioners, who are siblings of the borrower. It will be open to the petitioners to apply for a copy of the document from the concerned Sub-Registrar and retain it as their parental document.



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2. Hence, the writ petition is dismissed. No costs. Consequently, the connected miscellaneous petition is closed.

[R.S.M., J.]

[L.V.G., J.]

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NCC : No
Index : No
Internet : Yes
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