



W.P.(MD)No.17541 of 2016

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 30.10.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.17541 of 2016

Shankar @ Sivashankar

... Petitioner

versus

The Branch Manager,
Tiruchirapalli Cantonment Branch,
Central Bank of India,
No.43/3A, Promenade Road,
Cantonment,
Trichy-1.

... Respondent

Writ Petition filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Mandamus, to direct the respondent to cancel the mortgage deed with regard to the petitioner's properties in loan account number 1453808628 and consequently directing the respondent to return the original title deeds in Document Nos. 2950/1962 and 97/1960 by considering the petitioner's representation dated 05.05.2015 within the time frame as fixed by this Court.



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For Petitioner : No appearance

For Respondent : Mr.Pandivel

ORDER

This writ petition has been filed in the year 2016 for a Mandamus directing the respondent to cancel the mortgage deed with regard to the petitioner's property in the loan No.1453808628 and return the original title deed in Document Nos.2950/1962 and 97/1960 by considering the petitioner's representation dated 05.05.2015.

2. There was no representation for the petitioner on 20.10.2023 and therefore, this Court directed the Registry to list this writ petition today under the caption “For Dismissal”. Even today, there is no representation for the petitioner.

3. The learned counsel appearing for the respondent Bank submits that there is a counter claim for the property and in view of the



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counter claim, the respondent Bank is not in a position to return the document.

4. Since there is no representation for the petitioner and also considering the submission made by the learned counsel appearing for the respondent Bank, this writ petition is dismissed with liberty to the petitioner to establish his right and renew the application before the respondent Bank. No costs.

30.10.2023

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NCC : Yes / No.
Index : Yes / No.
Internet : Yes / No.

To

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Central Bank of India,
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B.PUGALENDHI, J.

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