



WP (MD) No.24817 of 2016

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.12.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

WP(MD)No.24817 of 2016

L.Kanagavalli

... Petitioner

Vs

1.The Administrative Officer,
The State Bank of India,
Tiruchirappalli Division,
McDonalds Road,
Tiruchirappalli - 620 001.

2.The Branch Manager,
The State Bank of India,
Weekly Market Road,
Sivagangai.

3.The New Indian Assurance Company Ltd.,
D.O.120700, 8th Floor,
New Indian Centre,
17 – A, Gooprgrage Road,
New Delhi.

4.The Branch Manager,
New India Assurance Company Ltd.,



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Branch Office At No.480, Chekkalai Road,
Karaikudi,
Sivagangai District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to take necessary steps towards the petitioner's claim form submitted on 10.12.2007 and return the petitioner's original documents of the said house property.

For petitioner : Mr.R.Balamuruganantham
For R1 & R2 : No appearance
For R3 & R4 : Mr.N.Dilip Kumar

ORDER

The petitioner is a widow and she has approached this Court for a Mandamus directing the respondents to consider her representation to return the original documents of the petitioner's property.

2.The case of the petitioner is that her husband one Loganathan who was working as a driver in TNSTC has availed a



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housing loan from the State Bank of India, Sivagangai Branch. He has borrowed Rs.1,25,000/- in the year 2004 and has taken insurance coverage for the housing loan from the New India Insurance Company. As per the Insurance coverage, the respondents ought to have adjust the balance EMI amount and release the document. However, they have not acted upon it and therefore, the petitioner has submitted a representation and filed this writ petition.

3.Though this Court has ordered notice in this writ petition, the respondent Bank has not preferred to appear before this Court.

4.When this writ petition was taken up for hearing on 11.12.2023, there was no representation for the petitioner. Therefore, it was ordered to be listed today under the caption "for dismissal". Even today, there is no representation for the petitioner.



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5.The learned counsel for the respondents 3 & 4 submits that the policy is not meant for loan and it is for the house.

6.The petitioner is a widow and her husband has obtained loan from the respondent bank. He has also taken an insurance and paid some amount towards premium. No counter affidavit has been filed by the respondent Bank as on date. Considering the limited scope of this writ petition and also considering that this petitioner is a widow, this writ petition is disposed of with a direction to the respondent Bank to return the petitioner's document on proper acknowledgment. No costs.

13.12.2023

NCC :Yes/No
Index :Yes/No
Internet:Yes
vrn



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B.PUGALENDHI, J.

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