



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 22.12.2023

CORAM

THE HON'BLE MR.JUSTICE G.R.SWAMINATHAN

WP(MD) No.30720 of 2023

Arunachalasamy

... Petitioner

vs.

1.The Regional Manager,
Canara Bank Regional Office,
No.1, Noor Sait Plaza, II Floor,
Opp.new Bus stand, Perumalpuram,
Tirunelveli, Tamil Nadu - 627 007.

2.The Branch Manager,
Canara Bank, 191-A, Rajapalayam
Main Road,
Sankarankovil,
Tamil Nadu - 627 756.

3.The Deputy general manager
Canara Bank, Circle office
St Mary's campus, East veli street
Madurai - 625001

... Respondents

(The third respondent was suo motu
impleaded vide order dated 22.12.2023)



Prayer : Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus to direct the respondents to return the sale deed, in respect of the property situated at Survey No.438A/1A1A, Kalappakulam Village, Kalappakulam Panchayat, Sankarankovil Union, Tenkasi District registered as Document No.3186 of 2011 on the file of the Sub Registrar, Tenkasi to the petitioner.

For Petitioner : Mr.B.Vijay Karthikeyan

For Respondents: Mr.N.Dilipkumar for R1 to R3

ORDER

Heard both sides.

2.The petitioner had availed loan from the second respondent. According to the petitioner, the loan account has been settled in full. The petitioner wants the title document back. Since it was not returned, the present writ petition came to be filed.

3.When the matter was taken up for hearing, the learned standing counsel for the respondent bank submitted that the petitioner appears to have been granted certain waiver benefits at the branch level itself. According to the standing counsel, there is some doubt regarding the



power of the branch manager to grant such benefit. I therefore suo

motu impleaded the third respondent in this writ petition. I direct the

third respondent to take a call in the matter. The petitioner is permitted

to give a formal letter to the third respondent. The third respondent will

enquire into the matter. If the third respondent satisfies that the

petitioner has settled the loan in full, the document in question shall be

returned. In any event, the decision taken by the third respondent shall

be communicated to the petitioner so that the petitioner can work out

his rights in the manner known to law.

4.This writ petition is disposed of. No costs.

22.12.2023

Index : Yes / No

Internet : Yes/ No

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G.R.SWAMINATHAN, J.

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