



WEB COPY



W.P.No.16507 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.04.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.16507 of 2022

K.Pradeep Kumar

...Petitioner

-Vs -

State Bank of India,
Assistant General Manager,
SME Branch Chennai,
6th Floor Prashanth real gold tower,
No.39, North Usman Road,
T.Nagar, Chennai – 600 017.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondent bank to considering the petitioner's representation dated 22.02.2022 and lodge a police compliant with jurisdictional police in respect of loss of title deeds by the respondent bank in respect of the petitioner's property situated at old door No.136, new door No.250, Peters Road, Royapettah, Chennai – 600 014 and obtain F.I.R and Non-traceable certificate.

For Petitioner : Mr.V.Chandrababu

For Respondent : No appearance

ORDER

This writ petition has been filed for direction, directing the respondent to lodge a police compliant with jurisdictional police in respect of loss of title deeds in respect of the petitioner's property and to



W.P.No.16507 of 2022

obtain F.I.R and Non-traceable certificate.

WEB COPY

2. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

3. The petitioner's father availed loan from the respondent bank by depositing title deed in respect of the property situated at old door No.136, new door No.250, Peters Road, Royapettah, Chennai – 600 014. After repayment of entire loan amount, his father sought for return of original documents which was deposited with the respondent. However the respondent by its communication dated 07.01.2016, categorically admitted the loss of original documents from their custody. Further stated that in spite of best efforts, they unable to locate the documents and they have arranged for the certified copies of the misplaced documents. They also made a newspaper publication regarding the loss of the deed of the petitioner's father, which was deposited with their main branch for the credit facility. The advertisement was published in the New Indian Express and Dinamani newspapers on 29.11.2015. However, the respondent failed to lodge any complaint before the jurisdictional police, so that, the petitioner can not apply the certificate copy of the misplaced documents from the Registrar Office.



W.P.No.16507 of 2022

4. In view of the above, the respondent is directed to lodge complaint with regard to loss of original document deed from their custody in respect of the petitioner's property situated at old door No.136, new door No.250, Peters Road, Royapettah, Chennai – 600 014, forthwith. On receipt of the same, the jurisdictional Police is directed to issue non-traceable certificate to the petitioner, within the period of fifteen days on receipt of the complaint. On receipt of the same, the petitioner is at liberty to apply for certificate copy of the misplaced original document from the concerned Registrar Office.

5. With the above directions, the Writ Petition stands disposed of. There shall be no orders as to costs.

12.04.2024

Index : Yes/No
Speaking/Non Speaking order
Neutral Citation : Yes/No

rts



WEB COPY



W.P.No.16507 of 2022

G.K.ILANTHIRAIYAN. J.

rts

To

Assistant General Manager,
State Bank of India,
SME Branch Chennai,
6th Floor Prashanth real gold tower,
No.39, North Usman Road,
T.Nagar, Chennai – 600 017.

W.P.No.16507 of 2022

12.04.2024