



WEB COPY



W.P. No.22753 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.08.2024

CORAM:

THE HON'BLE MR. JUSTICE M.DHANDAPANI

W.P. No.22753 of 2024
and
W.M.P. No.25041 of 2024

K. Subramani

.... Petitioner

Versus

The Branch Manager,
Indian Overseas Bank,
Shevapet Branch,
Salem – 636 002.

... Respondent

Writ Petition filed under Article 226 of the Constitution of India to issue Writ of Mandamus, to direct the respondent to return the original documents sale deed registered as Doc. No.1749/2005, Salem East District Registrar in Ayothiyapattinam Sub-Registrar on 31.8.2005 to the petitioner.

For Petitioner

: Mr.P. Chandrasekar

For Respondent

: Notice Dispensed with.

ORDER

This writ petition has been filed to direct the respondent to return the original documents Sale Deed registered as Doc. No.1749/2005, Salem East District Registrar in Ayothiyapattinam Sub-Registrar on 31.8.2005 to the petitioner.



W.P. No.22753 of 2024

2. It is stated that the petitioner's elder sister obtained loan from the respondent and he stood as Guarantor for the said loan. He furnished his document as Security, which was registered as Doc. No.1749 of 2005 on the file of Sub-Registrar, Ayothyapattinam on 31.08.2005 to the respondent. It is further stated that the due amounts were paid and subsequently based on the terms arrived at Lok Adalat held at DLSA premises, Salem vide Case No.207 of 2022, the entire loan amount was paid. It is his case, inspite of full settlement of the loan amount, the respondent did not return the petitioner's document which was produced as Security for the loan. Hence, he made a request on 14.11.2023 to the respondent to return the original title documents, but the said request was not considered. Hence, this writ petition.

3. Heard Mr.P. Chandrasekar, learned counsel for the petitioner. Since no adverse orders being passed against the respondent, notice to them is dispensed with.

4. Considering the limited prayer sought for by the petitioner, this Court without going into the merits of the case, disposes of this writ petition by directing the petitioner to submit a fresh representation along with a copy of this order to the respondent, within a period of one week from the date of receipt of a copy of this order. On such submission, the



W.P. No.22753 of 2024

respondent shall consider the same on merits and in accordance with law and return the original title deeds to the petitioner, if the entire loan amount was settled, within a period of four weeks thereafter. No costs. Consequently, connected miscellaneous petition is closed.

09.08.2024

Index : Yes / No
Internet: Yes/No
Speaking Order/Non-Speaking Order
vsi2

To
The Branch Manager,
Indian Overseas Bank,
Shevapet Branch,
Salem – 636 002.



WEB COPY



W.P. No.22753 of 2024

M.DHANDAPANI, J.

vsi2

W.P. No.22753 of 2024

09.08.2024