



WEB COPY



W.P.No.24714 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.10.2024

CORAM :
THE HONOURABLE MR. JUSTICE M.DHANDAPANI

Writ Petition No.24714 of 2022

Sadasivam

... Petitioner

Vs.

1.The Regional Manager,
Indian Bank Regional Office,
Krishnagiri,
Krishnagiri District.

2.The Branch Manager,
Indian Bank,
Barur Branch,
Barur.
Krishnagiri District.

Respondents

...

Writ Petition filed under Article 226 of Constitution of India, praying for issuance of Writ of Mandamus directing the respondents to return the original documents 1. Settlement Deed bearing No.688/2010 dated 24.05.2010 in favour of Sadasivam, 2. Sale deed bearing No.744/2018 executed by Murali in favour of Rani, 3. Partition deed dated 11.07.2000 bearing No.1362/2000 executed by Umamaheshwari @ Palaniammal in favour of Raniammal 4. Sale Deed dated 05.05.1985 bearing No.169/1985 executed by Umamaheshwari @ Palaniammal in favour of Raniammal 5. Sale



W.P.No.24714 of 2022

deed dated 07.05.1985 bearing No.159/1985 executed by Umamaheshwari @ Palaniammal in favour of Raniammal 6. Sale deed dated 15.07.1983 bearing No.352/983 executed by Umamaheshwari @ Palaniammal in favour of Raniammal.

For Petitioners : M/s.L.Aishwarya Lakshmi

For Respondents : Mr.Abdul Wahab
for Mr.K.V.Subramanian Associates

ORDER

This writ petition has been filed by the petitioners to direct the respondents to return the original documents 1. Settlement Deed bearing No.688/2010 dated 24.05.2010 in favour of Sadasivam, 2. Sale deed bearing No.744/2018 executed by Murali in favour of Rani, 3. Partition deed dated 11.07.2000 bearing No.1362/2000 executed by Umamaheshwari @ Palaniammal in favour of Raniammal 4. Sale Deed dated 05.05.1985 bearing No.169/1985 executed by Umamaheshwari @ Palaniammal in favour of Raniammal 5. Sale deed dated 07.05.1985 bearing No.159/1985 executed by Umamaheshwari @ Palaniammal in favour of Raniammal 6. Sale deed dated 15.07.1983 bearing No.352/983 executed by Umamaheshwari @ Palaniammal in favour of Raniammal.



W.P.No.24714 of 2022

2. The case of the petitioner is that the petitioner has approached the second respondent for loan to develop his business and the second respondent has instructed the petitioner to submit all the title deeds of his properties with the Indian Bank panel advocate Mr.Rajaganesh to get legal opinion. Hence, the petitioner has handed over the original documents i.e., 1. Settlement Deed bearing No.688/2010 dated 24.05.2010 in favour of Sadasivam, 2. Sale deed bearing No.744/2018 executed by Murali in favour of Rani, 3. Partition deed dated 11.07.2000 bearing No.1362/2000 executed by Umamaheshwari @ Palaniammal in favour of Raniammal 4. Sale Deed dated 05.05.1985 bearing No.169/1985 executed by Umamaheshwari @ Palaniammal in favour of Raniammal 5. Sale deed dated 07.05.1985 bearing No.159/1985 executed by Umamaheshwari @ Palaniammal in favour of Raniammal 6. Sale deed dated 15.07.1983 bearing No.352/983 executed by Umamaheshwari @ Palaniammal in favour of Raniammal to the aforesaid Rajaganesh. But, the loan was not sanctioned to the petitioner. Therefore, he requested the second respondent to return the above said original documents. While so, the second respondent advised the petitioner to wait until the clearance of agricultural loan taken by the petitioner in the year 2013.



WEB COPY

2.1. The petitioner has cleared the agricultural loan without any balance and the same was registered on 08.03.2021. However, the second respondent has not returned the above said original documents to the petitioner. Therefore, he has sent a representation dated 26.08.2021 to the respondents herein to return his original documents. Since the representation being made, there was no action from the respondents in regard to the return of documents. Aggrieved over the same, the petitioner has come forward with the present writ petition.

3. Though very many grounds have been raised in this writ petition, learned counsel for the petitioner submitted that it would suffice, if this Court issues direction to the respondents consider the petitioner's representation dated 26.08.2021 and pass appropriate orders on merits and in accordance with law, within a time frame to be fixed by this Court.

4. Learned counsel appearing for the respondents has no objection for the said order being passed by this Court.

5. Heard the learned counsel on either side and perused the materials



W.P.No.24714 of 2022

available on record.

WEB COPY

6. Taking into the factual aspect of the matter, this Court without going into the merits of the case, directs the respondents to consider the petitioner's representation dated 26.08.2021 and pass appropriate orders on merits and in accordance with law after affording an opportunity of hearing to the petitioner as well as aggrieved persons if any, within a period of four weeks from the date of receipt of a copy of this order.

7. With the aforesaid observations and direction, this writ petition is disposed of. No costs.

03.10.2024

vm

Index : Yes/No

Speaking Order : Yes/No

Neutral Citation : Yes/No

To:

1.The Regional Manager,
Indian Bank Regional Office,
Krishnagiri,

Page No.5 of 7



W.P.No.24714 of 2022

Krishnagiri District.

2. The Branch Manager,
Indian Bank,
Barur Branch,
Barur.
Krishnagiri District.

M.DHANDAPANI,J.

vm

W.P.No.24714 of 2022



WEB COPY



W.P.No.24714 of 2022

03.10.2024