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W.P.No.25677 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.09.2024

CORAM :
THE HONOURABLE MR. JUSTICE M.DHANDAPANI

Writ Petition No.25677 of 2024

N.Velayutham

... Petitioner

Vs.

1.The Branch Manager,
State Bank of India,
RASMEC Hosur,
Mookondapalli Branch,
310, SIPCOT Staff Housing Colony,
Mookondapalli, Hosur – 635 126
Krishnagiri District.

2.The General Manager,
State Bank of India,
Local Head office, Circletop House,
Aparna Complex, 16, College Lane,
Chennai – 600 006.

3.The Zonal Manager,
State Bank of India,
Administrative Office,
No.50, State Bank Road, Beside Railway Station,
Gopalapuram, Coimbatore – 641 018.

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India,
praying for issuance of Writ of Mandamus directing the first respondent to



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provide the petitioner with the non-traceable certificates from the police authorities for all his title documents which were lost by them.

For Petitioner : Mr.Mukunth, Senior counsel
for Sarvabhauman Associates

ORDER

The petitioner has filed this petition seeking direction to the first respondent to provide the petitioner with the non-traceable certificates from the police authorities for all his title documents which were lost by them.

2. Since no adverse order has been passed against the respondents, notice to the respondents is dispensed with.

3. The case of the petitioner is that he is running a proprietary concern under the name of “Sree Govindaraja Enterprises”. In the year 2006, he availed a term loan of Rs.10,00,000/- (Rupees Ten Lakhs only) from the first respondent bank, to meet his business expenses, by producing his original title deeds of properties as security for loan. Subsequently, he availed cash credit facility by mortgaging his properties, which was furnished earlier as security. Thereafter, the petitioner foreclosed his entire amount on 28.04.2022 and the same was acknowledged by the first respondent bank. Despite the



foreclosure, original title deeds of the petitioner were not returned stating that the same was not available. Thus, the petitioner has sent a representation dated 02.07.2024 to the respondents, seeking to return his original documents. Since no action was taken by the respondents, the petitioner has come forward with the present writ petition.

4. 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 first respondent to consider the petitioner's representation dated 02.07.2024 and pass appropriate orders on merits and in accordance with law, within a particular time frame to be fixed by this Court.

5. Heard the learned counsel for the petitioner and perused the materials available on record.

6. Taking into consideration the factual aspects of the matter, this Court without going into the merits of the case, directs first respondent to consider the petitioner's representation dated 02.07.2024 and pass appropriate orders on merits and in accordance with law, after affording an opportunity of



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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.

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7. With the above observation and direction, this Writ Petition is disposed of. No costs.

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RAP

Index : Yes/No

Speaking Order : Yes/No

Neutral Citation : Yes/No

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M.DHANDAPANI,J.

RAP



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