



W.P.No.26297 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.09.2024

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P.No.26297 of 2024
and W.M.P.No.28720 of 2014

1. Rukmani
2. T.P.Kumaravel

... Petitioners

Vs.

1.The Chief Executive Officer,
Bank of India,
Star House, C-5, G-Block,
Bandra Kurla Complex,
Mumbai-51.

2. The Chief Manager,
Bank of India,
Erode Branch,
Gandhiji Road,
Erode-9.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the respondents bank to return the original documents in respect of loan account No.820265700009512 and No.820275100009287 as per the Lok Adalat Award dated 17.03.2016 passed by the Debts Recover Tribunal, Madurai.



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For Petitioner

: Mr.P.Kannan Kumar

ORDER

This Writ Petition has been filed seeking a direction to the respondents bank to return the original documents in respect of loan account No.820265700009512 and No.820275100009287 as per the Lok Adalat Award dated 17.03.2016 passed by the Debts Recover Tribunal, Madurai.

2. The case of the petitioner that the petitioner had availed loan with the second respondent and there were some loan dispute between the petitioner and the second respondent, for which, the petitioner made application before the Debts Recovery Tribunal, Madurai and on 17.03.2016 a compromise was arrived by directing the petitioner to pay a sum of Rs.13 lakhs. The petitioners have paid entire payments and the loan accounts were closed on 12.07.2016. However, the original documents were not returned to the petitioners. Hence, the present writ petition.

3. The learned counsel for the petitioner submitted that this Court may issue a direction to the second respondent to return the original document to the



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petitioners within the stipulated time as fixed by this Court.

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4. Heard the learned counsel for the petitioner and perused the materials available on record. Since no adverse order is passed against the respondents, notice to them is dispensed with.

5. Considering the fact that the petitioners have paid entire loan amount to the respondents and the said loan account was closed. In view of the above, this Court directs the petitioner to make a fresh representation to the second respondent along with a copy of this order within a period of two weeks from the date of receipt of a copy of this order. Upon receipt of such representation, the second respondent shall return the original documents to the petitioner if they have paid entire loan amount, within a period of four weeks thereafter.

6. With the above directions, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

05.09.2024

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M.DHANDAPANI.J,

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Index : Yes/No
Neutral citation : Yes/No
Speaking Order/Non-Speaking Order

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To

1.The Chief Executive Officer,
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