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W.P.No.2220 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.09.2025

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.2220 of 2024

Babu K

... Petitioner

Vs.

- 1 RESERVE BANK OF INDIA
REP. BY ITS REGIONAL DIRECTOR
FORT GLACIS,
NO.16, RAJAJI SALAI,
CHENNAI – 600 001.
- 2 INDIAN OVERSEAS BANK,
CENTRAL OFFICE,
REP. BY CHIEF OFFICER
763, ANNA SALAI,
CHENNAI – 600 002.
- 3 INDIAN OVERSEAS BANK
PURUSAWALKAM BRANCH,
REP. BY ITS BRANCH MANAGER
15, HUNTERS ROAD, DOVETON,
PURUSAWALKAM,
CHENNAI – 600 112.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the third respondent Bank to expeditiously undertake all necessary steps and procedures including the steps and procedures stated in the third respondent's representation dated 28.07.2023 at the third respondent's own costs



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so as to duly obtain and handover to the petitioner, within a time period stipulated by this Hon'ble Court, the True Certified Copy of the Partition Deed No.857/1994 dated 09.03.1994 on the file of SRO, Pallavaram and also directing the first respondent to initiate appropriate action against the 2nd and 3rd respondent as per law.

For Petitioner : Mr.Thomas T.Jacob
For Respondents : R1 and R2 – No Appearance
Mr.V.Kadhirvelu for R3

ORDER

This writ petition has been filed seeking issuance of Writ of Mandamus directing the third respondent Bank to expeditiously undertake all necessary steps and procedures including the steps and procedures stated in the third respondent's representation dated 28.07.2023 at the third respondent's own costs so as to duly obtain and handover to the petitioner, within a time period stipulated by this Court, the True Certified Copy of the Partition Deed No.857/1994 dated 09.03.1994 on the file of SRO, Pallavaram and also directing the first respondent to initiate appropriate action against the respondents 2 and 3 as per law.

2.The learned counsel appearing for the petitioner submitted that the petitioner obtained a housing loan on 05.02.2009 from the third respondent and thereafter, the petitioner repaid the entire loan



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amount and the loan was finally closed on 31.10.2019, however, the third respondent has not yet returned the original partition deed and they claim that the original partition deed itself was lost. Hence, this Court may issue direction to the third respondent to obtain the True Certified Copy of the Partition Deed No.857/1994 dated 09.03.1994 on the file of SRO, Pallavaram and hand over the same to the petitioner and to pay necessary compensation to the petitioner for the mental agony suffered by the petitioner.

3.The learned counsel appearing for the third respondent submitted that the third respondent will approach the jurisdictional Sub Registrar Office and obtain the True Certified Copy of the Partition Deed No.857/1994 dated 09.03.1994 on the file of SRO, Pallavaram and will hand over the same to the petitioner, however, there is no negligence on the part of the third respondent and hence the third respondent need not pay any compensation to the petitioner.

4.The facts of the case is not in dispute. Admittedly, the petitioner availed loan from the third respondent and repaid the entire loan amount. It is the duty cast upon the third respondent to return the document which was deposited by the petitioner. There cannot be



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any reason for not returning the document deposited by the petitioner after repayment of the entire loan amount.

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5.In view of the above, the third respondent is directed to approach the jurisdictional Sub Registrar Office and obtain the True Certified Copy of the Partition Deed No.857/1994 dated 09.03.1994 on the file of SRO, Pallavaram and to hand over the same to the petitioner within a period of four weeks from the date of receipt of a copy of this order.

6.The writ petition is disposed of with the above observation. No costs.

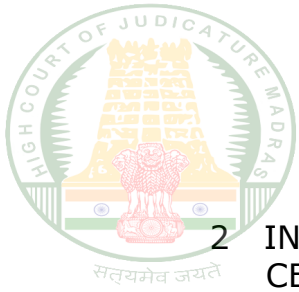
23.09.2025

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Index: Yes/ No
Speaking Order: Yes/ No
NCC: Yes/ No

To

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REP. BY ITS REGIONAL DIRECTOR
FORT GLACIS,
NO.16, RAJAJI SALAI,
CHENNAI – 600 001.



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3 INDIAN OVERSEAS BANK
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