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W.P.No. 18173 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.05.2025

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

W.P.No. 18173 of 2025

M/s.Sooriya Hospital (Firm)
Represented by its Managing Partner
Chellappan Pillai Sreekumar
No.1, Arunachalam Road
Saligramam,
Chennai-600 093.

... Petitioner

Vs.

1. M/s.Kotak Mahindra Bank Ltd.,
Asset Reconstruction Division
5th Floor, Samson Towers
No.402 L, Pantheon Road
Egmore, Chennai-600 008.

2. The Recovery Officer
Debt Recovery Tribunal-II
Shastri Bhavan
Chennai-600 006.

... Respondents

PRAYER:

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Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus, to direct the 2nd respondent i.e., the Recovery Officer, DRT-II, Chennai to release to the petitioner, the original sale deed dated 30.05.1991 bearing Document No.850 of 1991 on the file of the Joint-I, Sub Registrar, Palayamkottai, Tirunelveli - 627 002.

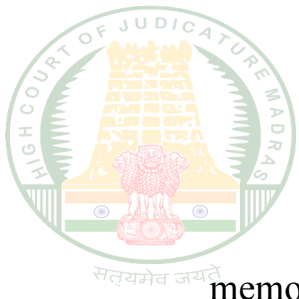
For Petitioner : Mr.Hariharan .E
For Respondents : Mr.Ilayaraja
for R1

ORDER

(Order of the Court was made by **G.R.SWAMINATHAN, J.**)

Heard the learned counsel for the petitioner and the learned counsel for the first respondent Bank.

2. The claim of the first respondent has been settled in full. This is evident from the memo dated 18.10.2024 filed by the first respondent Bank before the Debt Recovery Tribunal-II, Chennai. Therefore, the petitioner is entitled to return of the petition mentioned document from the custody of the second respondent. The second respondent is directed to return the petition mentioned document-in-original in terms of the



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memo filed by the first respondent Bank to the petitioner.

This writ petition is allowed accordingly. There shall be no order as to costs.

(G.R.S., J.) (V.L.N., J.)
14.05.2025

mk / Maya

Index : Yes/No

Neutral Citation : Yes/No

Speaking order / Non-Speaking order

To

1. M/s.Kotak Mahindra Bank Ltd.,
Asset Reconstruction Division
5th Floor, Samson Towers
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G.R.SWAMINATHAN, J.
and
V.LAKSHMINARAYANAN, J.

Maya

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