



Writ Petition No.23071 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 11.07.2025

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Writ Petition No.23071 of 2025

E.Meena

W/o.Late Elumalai

... Petitioner

Vs

The Branch Manager,
Canara Bank, Lakshmapuram,
Tiruttani Taluk,
Tiruvallur District - 631 204.

... Respondent

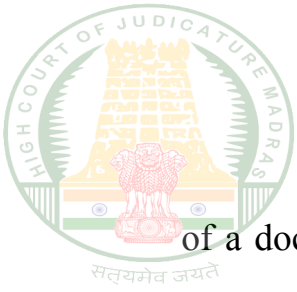
Prayer: Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Mandamus directing the respondent to pass orders on the petitioner's representation dated 23.05.2025 and release the documents provided by the petitioner's husband late Elumalai as collateral at the time of approval of loan amount Rs.6,50,000/- and consequently, direct the respondent to pay the rent of Rs.20,000/- continuously to the petitioner in respect of her husbands property in S.No.104/22 of Lakshmapuram Village, Tiruttani Taluk, Tiruvallur District to the extent of 0.03.00 Hectares as per the lease deed dated 28.01.2022 registered before the Sub Registrar, Tiruttani in Doc. No.367/2022.

For Petitioner : Mr.E.Duraivaiyapuri

For Respondent : Mr.R.Sreedhar
Standing Counsel

ORDER

This writ petition has been filed seeking issuance of a writ of mandamus directing the respondent bank to act upon the representation made by the petitioner dated 23.05.2025 wherein the petitioner is seeking for release



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of a document, which was given as collateral security at the time of availing loan and also for a further direction to the respondent bank to pay rent to the peititoner in respect of the property in which she is tenant as per the lease deed dated 28.01.2022.

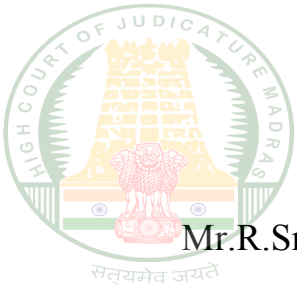
2. When the matter was taken up for hearing today, the counter affidavit of the respondent was placed before this Court. The relevant portions are extracted hereunder:

"5. I submit that the immovable property stands in the name of the petitioner's husband and the lease deed also executed by the petitioner's husband which includes his legal heirs. Thus, the said Late.Elumalai died leaving behind his legal heirs namely father Narasimhan, Mother Devaki wife Meena, (Writ Petitioner) son Prabakaran and daughters namely Bhagyalakshmi and Hemasri which is evidenced by the legal heirship certificate produced by the petitioner.

6. I submit that the other legal heirs have to give No objection to the bank in order to release the title deeds to her, more particularly from the parents of the deceased. Further, the Bank is depositing the rents in the deceased savings account and as per the nomination made in the said account, the petitioner herein is the only nominee. Now a consent has to be given by the other legal heirs except the minor children to the Bank in order to pay the rent continuously to the Writ Petitioner herein since the property is now devolved upon the legal heirs as per the law of inheritance.

7. I submit that the Bank has no intention to refuse to release the title deeds and only for the aforesaid reason. Further, the parents of the deceased are also not shown as a party in the present Writ Petition. Despite knowing the fact that other legal heirs are available, Bank is not in a position to release the title deeds."

3. Heard Mr.E.Duraivaiyapuri, learned counsel for petitioner and



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Mr.R.Sreedhar, learned Standing Counsel appearing for respondent.

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4. The respondent bank in order to hand over the documents is seeking for no objection from the parents of the deceased. Learned counsel for the petitioner submitted that he will get no objection from the parents of the deceased.

5. Learned Standing Counsel for the respondent bank further submitted that insofar as payment of rent is concerned, the rent upto date has been deposited in the existing account which stands in the name of the petitioner's husband. On his demise, a bank account will be opened in the name of the petitioner and rent will be deposited in the said account. To undergo this process, the respondent bank wants no objection from the parents of the deceased and learned counsel for the petitioner submits that no objection will be given.

6. In the light of the above stand taken by the respective parties, there shall be a direction to the learned counsel for the petitioner to get no objection from the parents of the deceased for both handing over the

N.ANAND VENKATESH, J.



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document to the petitioner and also to open the bank account in the name of the petitioner. Immediately, after the petitioner submits the relevant document before the respondent bank, the documents shall be handed over to the petitioner and the bank account will be opened in the name of the petitioner within a period of one week thereafter.

This writ petition is disposed of with the above direction. No costs.

11.07.2025

Neutral Citation: Yes/No

Index: yes/no

Speaking Order/Non-Speaking Order

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To
The Branch Manager,
Canara Bank,
Lakshmapuram,
Tiruttani Taluk,
Tiruvallur District - 631 204.

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