



W.P.No.25869 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 01.09.2025

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P. No.25869 of 2018

and

W.M.P.No.30068 of 2018

Konidala Kamal

... Petitioner

-Vs-

1. ICICI Bank Limited,
Rep. by its Chief Manager,
Having its Regional Office at
Arihant Insight, Plot No.24,
South Phase, Block No.1,
Ambattur Industrial Estate,
Ambattur, Chennai – 600 058.

2. M/s.Kanderi Fruitpack Pvt. Ltd.,
AGP. Sivaniyam, W-811,
Syndicate Bank Colony,
9th Street, Anna Nagar West Extn.,
Chennai – 600 101
By its Managing Director
Mr.Madanmohan

... Respondents

Prayer:- Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus to direct the first respondent to return the Original Title Deeds in the nature of the sale deed dated 07.04.2004 bearing Document No.1805/2004 with the office of the Sub-Registrar of Konnur pertaining to the immovable property being a House site comprised in Plot No.30, M.C.K.Lay-out situate in Survey No.181/1 in No.84, Nolambur



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Village, Ambattur Taluk, Tiruvallur District having an extent o 3270 Sq. ft
forthwith to the petitioner against due acknowledgment and pass orders.

For Petitioner : Ms.Kamachi.D
For Respondent : Mr.K.Balamurali for
M/s.Shivakumar & Suresh for R1
Not Ready Notice for R2

ORDER

This Writ Petition has been filed to the first respondent to return the Original Title Deeds in the nature of the sale deed dated 07.04.2004 bearing Document No.1805/2004 with the office of the Sub-Registrar of Konnur pertaining to the immovable property being a House site comprised in Plot No.30, M.C.K.Lay-out situate in Survey No.181/1 in No.84, Nolambur Village, Ambattur Taluk, Tiruvallur District having an extent of 3270 Sq. ft forthwith to the petitioner against due acknowledgment.

2. The brief facts are as follows:-

The petitioner is the absolute owner of the property and on the pretext of evaluation of additional credit facilities, he had handed over the original title deeds to the second respondent who is the brother-in-law of the petitioner. The first respondent filed a case against the second respondent's company before the DRT. The petitioner is not a party to the said proceedings. Though the petitioner requested the first respondent to return the original deeds, his request was not acceded to. Therefore, this



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Writ Petition is filed for the above said relief.

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3. Heard the learned counsel for the petitioner and the learned counsel for the first respondent and perused the materials available on record.

4. This Court perused the entire records. On perusal of the same, it is seen that the claim made by the petitioner is disputed question of facts, which cannot be decided by this Court and the same has to be decided only by the competent civil forum.

5. At this juncture, the learned counsel for the petitioner seeks liberty to approach the competent civil Court in respect of the subject matter.

5. Considering the facts and circumstances of the case and the limited relief sought for by the petitioners, this Court, without rendering any opinion on the merits of the case, permits the petitioner to work out his remedy before the competent Civil Court in a manner known to law.

6. In view of the above, the writ petition is dismissed. Consequently,



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connected miscellaneous petition is also closed. No costs.

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Index : Yes/No

Speaking/Non-speaking order



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M.DHANDAPANI. J.,

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