



W.P.(MD)No.10172 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.04.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.10172 of 2025

B.Vadivel

: Petitioner

Vs.

The Branch Manager,
Tamilnadu Mercantile Bank,
Kamuthi Branch,
Ramanathapuram District.

: Respondent

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondent to release the title deed vide document No.1906/2007 to the petitioner by cancelling memorandum of deposit of title deed in respect of over draft loan vide loan A/c.No.011700050900213 on the file of the Respondent Bank based on the petitioner's representation dated 27.03.2025.

For Petitioners : Mr.T.Veerakumar



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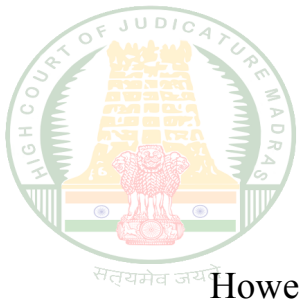
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ORDER

This Writ Petition has been filed seeking a direction to the respondent to release the title deed, bearing Document No. 1906/2007, to the petitioner by cancelling the memorandum of deposit of title deed in respect of the overdraft loan bearing Loan Account No. 011700050900213 maintained with the respondent Bank, based on the petitioner's representation dated 27.03.2025.

2. Heard the learned counsel for the petitioner. Having regard to the nature of the order proposed to be passed in this writ petition, notice to the respondent is dispensed with.

3. The petitioner claims to be the proprietor of 'Sathiyame Vellum Motors' and states that he has fully settled the overdraft loan availed by his late father in respect of the said business. The grievance of the petitioner is that, despite the full settlement of the loan, the respondent Bank has not released the title documents that were pledged as security. In this regard, the petitioner submitted a representation dated 27.03.2025 to the respondent, requesting the release of the title deed.



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However, since no action was taken on the said representation, the petitioner has now approached this Court by filing the present Writ Petition.

4. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon him to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-consideration of the representation by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of the Constitution of India and direct them to consider the same within a stipulated time.

5. In the light of the above observations, there shall be a direction to the respondent to consider the petitioner's representation dated 27.03.2025, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner, as well as all other persons, who may be interested in the subject matter, within a period of eight weeks from the date of receipt of a copy of this



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order. It is also made clear that this Court has not expressed any of its views with regard to the merits of the matter and that it is open to the respondent to consider the same on its own merits.

6. With the above directions, the Writ Petition stands disposed of. There shall be no order as to costs.

09.04.2025

Index : Yes / No

Internet : Yes / No

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To

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Tamilnadu Mercantile Bank,
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VIVEK KUMAR SINGH, J.

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