



W.P(MD)No.21300 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.09.2025

CORAM

THE HONOURABLE MS.JUSTICE P.T.ASHA

Writ Petition(MD)No.21300 of 2025

R.Senthilkumar

..Petitioner

Vs

1.The Reserve Bank of India,
Fort Glacis,
No.16, Rajaji Road,
Fort St. George,
Chennai.

2.The Regional Manager,
Union Bank Regional Office,
BSNL Administrative Building,
2nd Floor, South Bypass Road,
Vannarapettai,
Tirunelveli District.

3.The Branch Manager,
Union of India,
No.178, Thiruchuli Road,
Aruppukottai,
Virudhunagar District.

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus to direct the respondents No.2 and 3 herein to Redeem the Memorandum of the Title Deed (MDO) Executed by the petitioner's father for availing loan from the 3rd respondents bank vide Doc No.1694/2013 before the SRO Aruppukottai dated 04.4.2013, Redeem in favour of the petitioner as a current Title Owner



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and consequently direct the 2nd and 3rd respondents to hand over the original documents to the petitioner deposited by the petitioner's father at time of executing MOD in favour of 3rd respondent by considering the petitioner's representation dated 10.7.2025 in accordance with law within the time stipulated by this court.

For Petitioner : Mr.D.Balamurugapandi

For Respondents : Mr.V.Balasubramanian
Standing Counsel (for RR2 and 3)

ORDER

. The writ petition has been filed seeking a direction to the respondents 2 and 3 to redeem the Memorandum of Deposit of Title Deed (MOD) executed by the petitioner's father for availing a loan from the 3rd respondent bank, vide Doc. No.1694/2013 dated 04.04.2013 before the Office of the Sub-Registrar, Aruppukottai, and to redeem the same in favour of the petitioner as the present title owner. Consequently, the petitioner seeks a further direction to respondents 2 and 3 to hand over the original documents deposited by the petitioner's father at the time of executing the MOD in favour of the 3rd respondent, by considering the petitioner's representation dated 10.07.2025, in accordance with law, within the time stipulated by this Court.



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2. Heard the learned counsel for the petitioner and the learned Standing Counsel for respondents 2 and 3.

3. According to the petitioner, his father availed a home loan of Rs. 10,00,000/- from the 3rd respondent bank and executed a Memorandum of Deposit of Title Deed (MOD) in favour of the 3rd respondent bank. During the loan tenure, the petitioner's father executed a Will in favour of the petitioner on 05.12.2013. Subsequently, the petitioner's father died on 24.01.2014. Upon his death, the Will came into effect, and the petitioner became the absolute owner of the property. Thereafter, the petitioner closed the loan account on 16.08.2021 and obtained a No Objection Certificate (NOC) from the 3rd respondent. The petitioner then requested the 3rd respondent to redeem the MOD executed by his father in his favour as the present title owner. However, the 3rd respondent refused and compelled the petitioner to obtain the consent of the other legal heirs. In this regard, the petitioner submitted a representation to the respondents, but the same has not been considered. Hence, the petitioner has approached this Court.

4. The learned Standing Counsel appearing for respondents 2 and 3 submitted that if the petitioner's mother, who is one of the beneficiaries under the Will, appears before the Branch Manager of the 3rd respondent bank and gives a No Objection Certificate, the representation of the



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petitioner will be considered in accordance with law and the 3rd respondent bank shall release the documents in favour of the petitioner.

5. The learned counsel appearing for the petitioner submitted that the petitioner is ready to appear along with his mother before the 3rd respondent bank on 02.09.2025 at 11.00 a.m.

6. In view of the above submissions, this Court directs the petitioner to appear before the 3rd respondent along with his mother. Upon submission of a No Objection Certificate by the petitioner's mother, the 3rd respondent bank shall redeem the mortgage and release the documents in favour of the petitioner forthwith.

7. This writ petition is disposed of accordingly. No costs.

01.09.2025

NCC : Yes/No
Index : Yes/No
Internet:Yes
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P.T.ASHA, J.

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