



WEB COPY

WP No. 2412 of 2023



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-03-2026

CORAM

THE HONOURABLE MR JUSTICE KRISHNAN RAMASAMY

WP No. 2412 of 2023

D.K.Nedunchezian,
No. 18, Flat No. 1B,
West CIT Nagar, Chennai 35.

Petitioner(s)

Vs

1.The Authorised Officer,
and chief Manager, Indian Bank,
No. 91, 1st Main road, Gandhi Nagar,
Adayar, Chennai 20.

2.G.Vijayamani,
No. 18, Flat No .1 B West CIT Nagar,
Chennai 35.

Respondent(s)

PRAYER:-Writ Petition filed under Article 226 of the Constitution of India, praying for an issuance of Writ of Mandamus, directing the 1st respondent to release/ return the documents deposited by the petitioner in respect of the petitioners property concerns, i.e, schedule B, Item No.1, of the doc .No. 1765/ 2008 at Sub Registrar office, Damal, Kancheepuram District.

For Petitioner(s): Mr.V.Manoharan

For Respondent(s): Mr.T.Sundarrajan For R1
Mr.V.S.Jothilakshmi For R2



ORDER

This writ petition has been filed seeking to direct the 1st respondent to release/return the documents deposited by the petitioner in respect of the petitioner's property concerns, i.e, Schedule B, Item No.1, of the Doc.No. 1765/ 2008 at Sub Registrar Office, Damal, Kancheepuram District.

2.Learned counsel for the petitioner would submit that the petitioner obtained a loan from the 1st respondent by mortgaging the original title deed of his property. Even after settling the loan amount, the 1st respondent is yet to release the petitioner's documents. In this regard, he has given a representation dated 30.10.2014, 02.02.2015, 20.04.2015 and 11.02.2019 to the 1st respondent. However, the 1st respondent has not released the document to the petitioner. Hence the present writ petition has been filed.

3.Learned counsel appearing for the 1st respondent Bank would submit that the loan in question is not the only account; the petitioner has other outstanding loan accounts as well. Since the petitioner has failed to repay the dues on the other accounts, the 1st respondent has withheld the documents.

4.Heard the learned counsel for the petitioner as well as the learned counsel appearing for the respondents.



5. Considering the submissions made by either parties and in view of the limited prayer sought for in this writ petition, this Court unable to understand as to why the petitioner waited to approach this Court despite claiming the loan was cleared and a representations were made to release the document, particularly when the 1st respondent failed to release the documents. However, in the event the entire loan is paid, the petitioner is directed to submit fresh representation to the 1st respondent. On receipt of the fresh representation by the petitioner seeking to release the document, the 1st respondent is directed to consider and dispose of the same within a period of six (6) weeks from the date of receipt of the fresh representation made by the petitioner.

6. with the aforesaid direction, this writ petition is disposed of. No costs.

24-03-2026

rst

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

The Authorised Officer,
and chief Manager, Indian Bank,
No. 91, 1st Main road, Gandhi Nagar,
Adayar, Chennai 20.



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KRISHNAN RAMASAMY J.
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