



WEB COPY

WP No. 5607 of 2023



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-03-2026

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THE HONOURABLE MR JUSTICE KRISHNAN RAMASAMY

WP No. 5607 of 2023

AND

WMP NO. 5638 OF 2023

B.Satheesh,
S/o.Bhoopathi,
No.100, Sri Ram Nagar,
Kurunchipadi Taluk, Cuddalore District.

Petitioner(s)

Vs

1.The Branch Manager,
State Bank of India,
No.5, Museum Road, Block-2,
Neyveli-607 801, Cuddalore District.

2.The Regional Manager,
State Bank of India, II Floor Vignesh
Complex, 208, Anna Salai,
Puducherry-605 001.

(R2 cause title amended vide order dt
27.02.2023 made in wp.5607/2023 by
CVKJ)

Respondent(s)

PRAYER:-Writ Petition filed under Article 226 of the Constitution of India, praying for an issuance of Writ of Mandamus, to direct the 1st respondent to deliver the petitioners security document of petitioners Flat, No.100, Sriram Nagar Gandhi Nagar, Kurunchipadi Taluk, Cuddalore District.



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For Petitioner: Mr.K.Srinivasan

For Respondent(s): Mr.K.Chandrasekaran

ORDER

This writ petition has been filed seeking to direct the 1st respondent to deliver the security document furnished by the petitioner in respect of the property in Flat, No.100, Sriram Nagar Gandhi Nagar, Kurunchipadi Taluk, Cuddalore District.

2.Learned counsel for the petitioner would submit that the petitioner has repaid the entire housing loan obtained from the respondent Bank. Even then, the respondents have withheld the security document furnished by the petitioner in respect of the property in Flat, No.100, Sriram Nagar Gandhi Nagar, Kurunchipadi Taluk, Cuddalore District. Hence, the present writ petition has been filed.

3.Learned counsel appearing for the respondents would submit that there is due payable by the petitioner and therefore proceeding has been initiated under the SARFAESI Act against the petitioner in order to recover the default committed by the petitioner.



4. In reply, learned counsel for the petitioner would submit that the respondent Bank has issued a letter stating the entire loan amount has been repaid by the petitioner. However, learned counsel appearing for the respondents would submit that the letter has been sent wrongly to the petitioner. There are dues payable by the petitioner and the DRT proceedings is also pending.

5. Heard the learned counsel for the petitioner and the learned counsel appearing for the respondents.

6. Considering the submissions made by both parties, this Court is of the view that, the issue before this Court involves disputed questions of fact, which cannot be decided in the present writ petition. Therefore, these issues have to be decided before the Civil Court. Since the DRT proceeding is already pending, the petitioner can very well proceed before the Debt Recovery Tribunal and agitate the issue based on the particulars available with the petitioner.

7. In view of the above, this writ petition stands dismissed. No costs.

27-03-2026

rst

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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To
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KRISHNAN RAMASAMY J.
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