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WP No. 13797 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15-04-2026

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THE HON'BLE MR JUSTICE M.DHANDAPANI

WP No. 13797 of 2026

M.Sivanandham

..Petitioner(s)

Vs

The Branch Manager,
State Bank of India,
Dharmapuri Main Branch,
Salem Main Road, Dharmapuri 636 701.

..Respondent(s)

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of writ of Mandamus directing the respondent bank to release and return the petitioners original title deeds/ documents relating to the property which were deposited as security for the mortgage loan availed by the petitioner from the respondent bank under Housing Term Loan Account No. 31611525786 pursuant to the execution of a memorandum of Deposit of Title Deeds registered as Document no. 90 of 2011 dated 24.01.2011 on the file of the Sub Registrar Office Kadathur and which loan has already been fully discharged and recorded by a registered Mortgage discharge receipt dated 1.06.2018 bearing document No. 763 of 2018 on the file of the Sub Registrar office Kadathur.

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For Petitioner(s): Mr.M.Munirathinam

For Respondent(s): Mr.P.Srinivasan



Order

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This Writ Petition has been filed to direct the respondent bank to release and return the petitioner's original title deeds/ documents relating to the property.

2. Case of the petitioner is that he purchased the property situated at Puliampatti Village, Pappireddipatti Taluk, comprised in S.F.No.53/11A measuring 2178 sq.ft, through a registered Sale Deed dated 26.11.2008. On 24.01.2011, the petitioner availed a housing / mortgage loan of Rs.5,75,000/- from the respondent bank by depositing the original title deed relating to the above property as security. The petitioner regularly repaid the loan amount together with interest without any default and discharged the entire loan liability and thereby the respondent Bank also issued a Mortgage Discharge Receipt dated 01.06.2018, which was registered before the Sub Registrar Office, Kadathur. Even after discharge of the entire loan amount, while the petitioner approached the respondent requesting return of the original title deed, they refused to return the same. Hence, the petitioner is before this Court.

3. The learned counsel appearing for the petitioner would submit when the petitioner approached the respondent Bank, the officials informed that the title deed would be returned only if the petitioner clears certain alleged dues



relating to a personal loan, which is completely unrelated to the mortgage loan.

Since, the Discharge Deed already executed and registered, the respondent Bank has no legal authority to retain the petitioner's original title deed. Hence prays for appropriate orders.

4. The learned counsel appearing for the respondents would submit that if the petitioner has paid the entire loan amount and as alleged if the discharge deed is executed, the petitioner's original title deed / documents will be returned to the petitioner within a stipulated time frame as fixed by this Court.

5. Heard both sides and also perused the materials available on record.

6. Facts in the present case are not in dispute that the petitioner had availed a housing loan from the respondent Bank. It is the contention of the petitioner that he has repaid the entire loan liability and that the Discharge Deed has also been executed and registered before the Sub Registrar. However, the respondent Bank has refused to return the original documents. The learned standing counsel for the respondent fairly submitted that if the petitioner has repaid the entire loan amount, the original title deed / document will be returned.



7. In view of the said submission of the learned counsel for the respondent, this Court, is of the opinion that if it is found that the petitioner has repaid the entire bank loan amount, the respondent Bank shall return the petitioner's original Title Deeds / documents relating to the property which were deposited as security for the mortgage loan, within a period of six weeks from the date of receipt of a copy of this order.

8. With the above direction, this Writ Petition is disposed of. There shall be no order as to costs.

15-04-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

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To
The Branch Manager,
State Bank of India,
Dharmapuri Main Branch,
Salem Main Road, Dharmapuri 636 701.



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M.DHANDAPANI J.

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