



W.P(MD)No.2263 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.04.2026

CORAM

THE HONOURABLE MR.JUSTICE HEMANT CHANDANGOUDAR

Writ Petition(MD)No.2263 of 2025

and

W.M.P(MD)No.1623 of 2025

Samim

.. Petitioner

Vs

1.The General Manager,
Dindigul Central Co-operative Bank Ltd.,
Dindigul.

2.The Secretary,
A2961 Old Batlagundu Rural Co-operative Service Society,
Old Batlagundu,
Dindigul District.

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus to call for the records relating with the impugned letter dated 02.03.2024 in Na.Ka.No.2938/2008-09/Pa3 on the file of the 1st respondent and quash the same as illegal and consequently direct the respondents 1 and 2 to release the documents mentioned in the Document No. 1330/1987 dated 10.09.1987 to the petitioner by accepting the legal heirship certificate within a time stipulated by this Court.



WEB COPY



W.P(MD)No.2263 of 2025

For Petitioner : Mr.S.Vellaichamy

For Respondents : Mr.P.Subbaraj
Spl. Govt. Pleader

ORDER

The petitioner challenges the communication dated 02.03.2024 issued by the first respondent, whereby she has been called upon to furnish a succession certificate for the purpose of releasing the original title deed relating to Document No. 1330/1987, dated 10.09.1987, registered in the office of the Sub-Registrar, Batlagundu.

2.The case of the petitioner is that her husband, A. Navabjan (since deceased), during his lifetime, had availed a loan from the respondent Cooperative Bank by depositing the original title deed of the subject property as security. It is stated that the deceased borrower had discharged the entire loan amount during his lifetime and passed away on 16.08.2007. Thereafter, the petitioner, being the wife of the deceased, submitted a representation seeking release of the original title deed. However, by the impugned communication, the first respondent insisted upon the production of a succession certificate.

3.The petitioner would further submit that the deceased borrower left behind



W.P(MD)No.2263 of 2025

the petitioner, one son, and one daughter, as evidenced by the legal heir certificate dated 21.08.2007 issued by the competent Tahsildar, and that there are no rival claimants in respect of the subject property. Hence, she claims entitlement to the release of the original title deed.

4.The learned Special Government Pleader appearing for the respondents submitted that the petitioner's request can be considered, subject to the furnishing of a succession certificate.

5.It is not in dispute that the borrower passed away in the year 2007 and that the petitioner is his wife, as reflected in the agreement relating to the deposit of title deeds. The petitioner has also undertaken to produce a No Objection Certificate from the other legal heirs. In such circumstances, as a matter of abundant caution, this Court is of the view that the petitioner can be directed to publish a public notice, in the name of the first respondent, in a local daily newspaper, inviting objections, if any, from interested persons with regard to the release of the original title deed.

6.Accordingly, this writ petition is disposed of with the following directions:

- (i) The petitioner shall publish a public notice, in the name of the first respondent, in a local daily newspaper within a period of ten days from the date of receipt of a copy of this order, inviting objections, if any, from any person with respect to the release of the original title deed.



WEB COPY



W.P(MD)No.2263 of 2025

(ii) If no objections are received within seven days from the date of such publication, the first respondent shall release the original title deed to the petitioner, subject to the petitioner producing the consent of the other two legal heirs.

(iii) The petitioner shall also execute an indemnity bond in favour of the first respondent.

(iv) The first respondent shall release the original title deed within a period of three weeks thereafter.

No costs. Consequently, the connected miscellaneous petition is closed.

06.04.2026

NCC : Yes/No

Index : Yes/No

Internet:Yes

skn

To

1.The General Manager,
Dindigul Central Co-operative Bank Ltd.,
Dindigul.

2.The Secretary,
A2961 Old Batlagundu Rural Co-operative Service Society,
Old Batlagundu,
Dindigul District.



WEB COPY



W.P(MD)No.2263 of 2025

HEMANT CHANDANGOUDAR, J.

skn



WEB COPY



W.P(MD)No.2263 of 2025

Writ Petition(MD)No.2263 of 2025

and

W.M.P(MD)No.1623 of 2025

06.04.2026