



2025:KER:16768

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE HARISANKAR V. MENON

THURSDAY, THE 27TH DAY OF FEBRUARY 2025 / 8TH PHALGUNA, 1946

WP(C) NO. 6220 OF 2019

PETITIONER:

MANI CHACKO, AGED 68 YEARS,
S/O. T.M. CHACKO, RESIDING AT KALLADA HOUSE,
POTHANICAD P.O., KOTHAMANGALAM,
ERNAKULAM DISTRICT 686 671.

BY ADV C.DILIP

RESPONDENTS:

- 1 ICICI BANK LIMITED, 'LANDMARK',
RACE COURSE ROAD, VADODRA 390007,
REPRESENTED BY ITS CHAIRMAN AND MANAGING DIRECTOR.
- 2 SR. GENERAL MANAGER,
(HOME AND VEHICLES LOANS), ICICI BANK LIMITED,
LANDMARK, RACE COURSE ROAD, VADODRA 390007.
- 3 BRANCH CREDIT MANAGER,
ICICI BANK, PADMA JUNCTION,
M.G. ROAD, KOCHI KERALA, 682 035.

BY ADV SRI.LAL K.JOSEPH

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 27.02.2025, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:



JUDGMENT

The petitioner has availed some credit facilities by depositing title deeds with the 1st respondent herein through the intervention of the 3rd respondent herein.

2. Petitioner contends that though he has cleared the entire arrears payable to the 1st respondent-Bank on 28.09.2018, only some of the documents deposited with the Bank has been returned to him.

3. It is in such circumstances, the petitioner has filed the captioned writ petition pointing out that the prior deed- Sale deed No.3531/2002 of S.R.O, Chengamanad, is not returned, seeking appropriate directions in that regard.

4. I have heard the learned counsel for the petitioner and learned counsel for the 1st respondent Bank.

5. Insofar as there is no dispute about the fact that the petitioner has since cleared the entire arrears payable and a non-due certificate is also admittedly issued by the Bank and the dispute is essentially only with respect to the sale deed referred to earlier, I am of the opinion that the 1st respondent-Bank is to return the same to the petitioner, as



expeditiously as possible, at any rate, within a period of six weeks from today, if not already returned.

6. The 1st respondent-Bank to issue a communication to the petitioner to appear on a given date, to receive back the original document as above and if the Bank has a case that the document could not be returned for any reason, the Bank will be free to intimate the petitioner through the afore letter.

If such a stand is being taken by the Bank, the petitioner is permitted to file a fresh writ petition, if so advised.

Sd/-
HARISANKAR V. MENON
JUDGE

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APPENDIX OF WP(C) 6220/2019

PETITIONER EXHIBITS

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| EXHIBIT P1 | TRUE PHOTO COPY OF THE LOAN AGREEMENT
DATED 30.7.2005 EXECUTED BY THE
PETITIONER AND THE FIRST RESPONDENT. |
| EXHIBIT P2 | TRUE PHOTO COPY OF WRITTEN REQUEST DATED
9.11.2018 SENT BY THE PETITIONER TO
RESPONDENTS 2 AND 3. |
| EXHIBIT P3 | TRUE PHOTO COPY OF THE LETTER DATED
30.11.2018 ISSUED ON BEHALF OF THE FIRST
RESPONDENT BANK BY ITS CHIEF MANAGER. |
| EXHIBIT P4 | TRUE PHOTO COPY OF ACKNOWLEDGMENT DATED
4.2.2019 GIVEN BY THE PETITIONER TO THE
THIRD RESPONDENT WHILE RECEIVING
SECURITY DOCUMENTS. |