



IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT

THE HONOURABLE MR. JUSTICE SATHISH NINAN

WEDNESDAY, THE 4TH DAY OF OCTOBER 2023 / 12TH ASWINA, 1945

WP(C) NO. 31727 OF 2023

PETITIONER:

FRANCIS, AGED 80 YEARS
S/O.THOMAN, MECHERY HOUSE, CHEMMANDA DESOM,
KARALAM VILLAGE, MUKUNDAPURAM TALUK,
THRISSUR DISTRICT,, PIN - 680711
BY ADV N.L.BITTO

RESPONDENTS:

- 1 STATE OF KERALA,
REP. BY SECRETARY TO THE GOVERNMENT,
CO-OPERATIVE DEPARTMENT, SECRETARIAT,
THIRUVANANTHAPURAM, PIN - 695001
- 2 THE KARUVANNUR SERVICE CO-OP BANK LTD.,
REP BY THE SECRETARY, KARUVANNUR P.O.,
MUKUNDAPURAM TALUK,
THRISSUR DISTRICT, PIN - 680711
- 3 ENFORCEMENT DIRECTORATE (E.D.),
REPRESENTED BY ADDITIONAL DIRECTOR, KOCHI ZONAL
OFFICE, KANOOS CASTLE, MULLASSERY CANAL ROAD
WEST, (A.K. SESHADRI ROAD, COCHIN, ERNAKULAM
DISTRICT,, PIN - 682011
BY G.P SMT.SHEEJA.C.S
SRI.JAISHANKAR.V.NAIR, SC, ED

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR
ADMISSION ON 04.10.2023, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:



Sathish Ninan, J.

=====
WP(C) No.31727 of 2023
=====

Dated this the 4th day of October, 2023

JUDGMENT

The grievance of the petitioner is that, in spite of the fact that the loan liability has been closed, the Release Deed has not been executed by the Bank and also the title deed relating to the property of the petitioner have not been returned to him.

2. Learned Standing counsel for the Bank submits that the petitioner has not approached the Bank so far and also that the original title deed was taken custody of by the third respondent – Enforcement Directorate in connection with a crime.

3. Learned Central Government Counsel appearing for the third respondent submits that, if the Bank makes an application for return of the



WP(C) No.31727 of 2023

-: 2 :-

title deed, they shall consider whether the original title deed is required to be retained and if not, the same shall be returned to the Bank.

In the light of the above, it is ordered that if the petitioner makes a request before the second respondent Bank for the return of the title deed and execution of Release Deed after closure of the liability, appropriate steps in the light of the submissions noted above shall be taken.

Writ Petition is disposed of as above.

Sd/- Sathish Ninan, Judge

amk



APPENDIX OF WP(C) 31727/2023

PETITIONER'S EXHIBITS :

- Exhibit-P1 A TRUE COPY OF THE DOCUMENT NO.509 OF 1974 OF
THE KATTOOR SRO DATED 12/5/1974
- Exhibit-P2 A TRUE COPY OF THE TAX RECEIPT
NO.KL08035104153/2023 ISSUED FROM KARALAM
VILLAGE OFFICE DATED 19/6/2023
- Exhibit-P3 A TRUE COPY OF THE LETTER REGARDING THE
CLOSURE OF THE LOANS ISSUED FROM THE 1ST
RESPONDENT DATED 25/5/2023