



**IN THE HIGH COURT OF KARNATAKA AT BENGALURU**

**DATED THIS THE 31<sup>ST</sup> DAY OF MAY, 2024**

**BEFORE**

**THE HON'BLE MR JUSTICE S.R.KRISHNA KUMAR**

**WRIT PETITION NO. 9897 OF 2023 (GM-RES)**

**BETWEEN:**

SRI K. MUNIRAJ  
S/O MR. G. KRISHNAPPA,  
AGED ABOUT 51 YEARS,  
R/A NO. 507/6, NAGARAJ COMPLEX,  
RAYASANDRA,  
BANGALORE – 560 099.

...PETITIONER

(BY SRI. SRIKANTH N V., ADVOCATE)

**AND:**

1. M/S FIVE STAR BUSINESS CREDITS LIMITED  
COMPANY REGISTERED UNDER COMPANIES ACT 1956,  
HAVING REGISTERED/CORPORATE OFFICE AT NO.39,  
OUTER CIRCULAR ROAD, KILPAUK GARDEN COLONY,  
KILPAUK, CHENNAI – 600 010  
REP BY ITS THE MANAGER.
2. M/S FIVE STAR BUSINESS CREDITS LIMITED,  
BRANCH OFFICE AT WARD NO.190,  
GARUVE BHAVI PALYA, HOSUR MAIN ROAD,  
BOMMANAHALLI POST,  
BANGALORE - 560068  
REP BY ITS BRANCH MANAGER.

...RESPONDENTS

(R-1 SERVED BUT UNREPRESENTED)

THIS W.P IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION  
OF INDIA PRAYING TO DIRECT THE R-2 TO DELIVER/RETURN THE  
ORIGINAL TITLE DEEDS PERTAINING TO THE SCHEDULE PROPERTY IN  
FAVOR OF THE PETITIONER DTD 06.02.2017 AS PER ANNEXURE-A.

THIS PETITION, COMING ON FOR ORDERS, THIS DAY, THE  
COURT MADE THE FOLLOWING:



**ORDER**

In this petition, the petitioner seeks the following reliefs:

*"i) Issue writ of mandamus directing the 2<sup>nd</sup> respondent to deliver/return the original title deeds pertaining to the schedule property in favour of the petitioner dated 06.02.2017 as per Annexure-A.*

*ii) Grant such other reliefs as this Hon'ble Court deems fit under the circumstances of the case.*

2. Heard learned counsel for the petitioner and perused the material on record.

3. Learned counsel for the petitioner submits that though the representation/legal notice was addressed to both respondent Nos.1 and 2 at Annexure-E dated 29.03.2023, the grievance of the petitioner for return of documents can be addressed only by respondent No.1, since he has custody and possession of original documents, which have to be returned in favour of the petitioner as requested in the representation/legal notice dated 29.03.2023, as such, notice to respondent No.2 may be dispensed with.

4. The said submission is placed on record.

5. Accordingly, notice to respondent No.2 is dispensed with at the risk of the petitioner.



6. It is the specific contention of the petitioner that despite issuance of the aforesaid representation at Annexure-E dated 29.03.2023, respondent No.1 has not taken any steps to comply with said request. As such, the petitioner is before this Court by way of the present petition.

7. Respondent No.1 having been served with notice of the present petition, chosen to remain unrepresented and has not contested the petition. In view of the aforesaid facts and circumstances and material on record, which discloses that respondent No.1 has neither submitted reply nor taken any steps/action pursuant to the representation at Annexure-E dated 29.03.2023, I deem it just and appropriate to dispose of this petition directing respondent No.1 to address the grievances of the petitioner and take necessary steps/action pursuant to the representation within a period of one month from the date of receipt of a copy of this order.

8. With the aforesaid observations and directions, the writ petition stands disposed of.

**Sd/-  
JUDGE**