



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 28.07.2015
CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

WEB COPY

W.P(MD) .No.13132 of 2015

M.Sarojini

...Petitioner

Vs

1.The Executive Engineer,
Tamil Nadu Housing Board,
Elis Nagar, Madurai.

2.The Tahsildar,
Thirupathur Taluk Office, Thirupathur.

3.The District Collector,
Sivagangai District, Sivagangai.

...Respondents

Prayer:- Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents to release the mortgaged original documents relating to the purchase of the Flat 518-0315-Elisnagar HIG at Madurai.

For Petitioner	: M/s.S.Govindan
For Respondents	: Mr.S.Chandrasekar Govt.Advocate

ORDER

The petitioner has come forward with this Writ Petition directing the respondents herein to release the mortgaged original documents relating to the purchase of the Flat 518-0315-Elisnagar HIG at Madurai, to him.

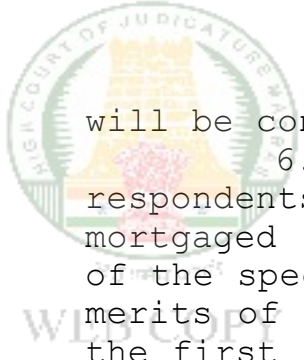
2. Mr.S.Chandrasekar, learned Govt.Advocate takes notice for the respondents.

3. By consent, this Writ Petition itself is taken up for final disposal.

4. The learned counsel appearing for the petitioner would submit that the petitioner has paid the entire dues to the respondents, to which, 'No Due Certificate' has also been issued by the second respondent on 18.06.2007. Ventilating his grievance, the petitioner has already sent a representation to the petitioner on 21.12.2014 and 14.07.2015. In spite of it, the respondents have not released the mortgaged original documents to

<https://hds.cerpts.gov.in/cases/>

5. The learned Government Advocate appearing for the respondents would submit that the representation of the petitioner



will be considered in accordance with law.

6. Once the petitioner remits the entire due to the respondents, there may not be any justifiable reason to keep the mortgaged original documents relating to the petitioner. In view of the specific averment of the petitioner, without going into the merits of the claim made by the petitioner in this Writ Petition, the first respondent is directed to pass appropriate orders on the representations of the petitioner, dated 21.12.2014 and 14.07.2015, on merits and in accordance with law, and release the documents to the petitioner, within a period of four weeks from the date of receipt of a copy of this order, if there is no other legal impediment to do so.

With the above direction, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar(CO)

/TRUE COPY/

Sub Assistant Registrar

To

1.The Executive Engineer,
Tamil Nadu Housing Board,
Elis Nagar, Madurai.

2.The Tahsildar,
Thirupathur Taluk Office, Thirupathur.

3.The District Collector,
Sivagangai District, Sivagangai.

+1 CC TO MR.S.GOVINDAN, ADVOCATE, SR NO:41900

+1 CC TO M/S.SPL.GOV.T.PLEADER SR NO:42219

SSM

JAM/19.8.15/2P-6C

W.P(MD) .No.13132 of 2015
28.07.2015