

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.04.2016

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.14502 of 2016

H.S.Ramakrishnan

... Petitioner

Vs.

1. The Inspector of General of Registration
Department of Registration
Santhome
Chennai - 600 028.

2. The District Registrar (Admn)
Office of the District Registrar
S.V. Road, Dharmapuri Town,
Dharmapuri District.

3. The Sub Registrar
Harur
Dharmapuri District.

... Respondent

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the first Respondent to consider and take necessary action on the petitioner's representation dated 11.08.2015 and deliver the Original Discharge Receipt dated 07.07.2014 bearing Doc. No.2987/2014 on the file of the third Respondent.

For Petitioner : Mr.S.Subramanian

For Respondent : Mr.S.Navaneethan
Additional Government Pleader

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O R D E R

By consent, the writ petition is taken up for final disposal.

2.The present writ petition has been filed seeking a Mandamus directing the first Respondent to consider and take necessary action on the petitioner's representation dated 11.08.2015 and deliver the Original Discharge Receipt dated

07.07.2014 bearing Document No.2987/2014 on the file of the third Respondent.

3.In the petition it has been stated that the petitioner and his wife jointly obtained loan from the State Bank of India, Harur Branch to the tune of Rs.30 Lakhs by way of mortgaging the properties belonging to the petitioner absolutely in Theerthamalai Village and that the entire loan amount along with interest has been duly repaid to the Bank on time and as a result of completion of repayment of loan amount, the Branch Manager, State Bank of India, Harur Branch executed a discharge receipt dated 07.07.2014 in their favour but inspite of the repeated requests to the third respondent to deliver the original discharge receipt dated 07.07.2014 registered as document no.2987/2014, the petitioner was not provided with the same. In this regard, the petitioner made several representations, but all in vein. Hence he once again submitted a representation dated 11.08.2015 but no action was taken. Hence, he sent a legal notice on 29.12.2015 to the respondents 2 and 3 setting out all the facts and requesting them to deliver the original discharge receipt. But the same has not been considered. Hence, the petitioner has come forward with this petition.

4.Heard the submissions of the learned counsel appearing for the petitioner and the learned Additional Government Pleader.

5.Considering the submissions made on either side, this Court without going into the merits of the claim made by the petitioner, directs the petitioner to give a copy of the representation dated 11.08.2015 along with a copy of this order to the respondents within a period of one week from the date of receipt of a copy of this order and the respondents on receipt of the same, is directed to consider the same and pass appropriate orders, on merits and in accordance with law, after affording opportunity of personal hearing to the petitioner within a period of four weeks thereafter. It is made clear that this Court has not expressed any opinion with regard to the merits of the claim made by the petitioner. The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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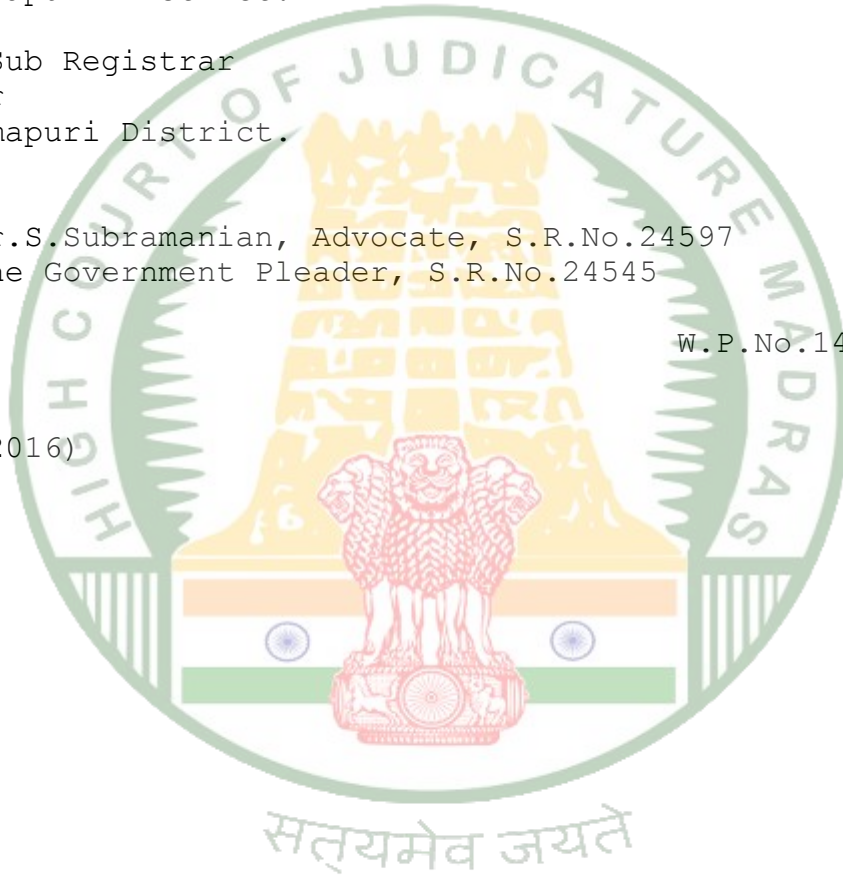
To

1. The Inspector of General of Registration
Department of Registration
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Dharmapuri District.
3. The Sub Registrar
Harur
Dharmapuri District.

+1cc to Mr.S.Subramanian, Advocate, S.R.No.24597
+1cc to the Government Pleader, S.R.No.24545

W.P.No.14502 of 2016

CA (CO)
CA(26/05/2016)



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