



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.11.2016

CORAM :

WEB COPY

**THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN**

Writ Petition (MD) No.7806 of 2016

P.Susila Pushparaj

... Petitioner

**Vs.**

1. The Area Manager,  
LIC Housing Finance Limited,  
35-A/1&2, Amutha Shree Flats,  
Reynolds Road, Cantonment,  
Trichirappalli 620 001.

2. The Manager (Operation)  
LIC Housing Finance Limited,  
35-A/1&2, Amutha Shree Flats,  
Reynolds Road, Cantonment,  
Trichirappalli 620 001.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents to hand over the original Document Nos.5126 of 2003 6610/1986 6238/1979 4441/1980 7125/1980 original Encumbrance Certificate No.6515/2003 Xerox copy of documents of sale agreement 6238/1979 4441/1980 7125/1980 and 6610/1986 which were given as security for the loan received from the Respondents Housing Finance Ltd. and consider the petitioner's representation dated 22.1.2016.

For Petitioner : Mr.K.Guhan  
For Respondents : Mr.V.Veerapandian  
for M/s.Vast Law Associates

**ORDER**

The prayer in the writ petition is to direct the respondents to hand over the original Document Nos.5126 of 2003 6610/1986 6238/1979 4441/1980 and 7125/1980 original Encumbrance Certificate No.6515/2003, xerox copy of documents of sale agreement, 6238/1979 4441/1980 7125/1980 and 6610/1986 which were given as security for the loan received from the respondents Housing Finance Ltd., based on the petitioner's representation dated 22.1.2016.



2. Heard Mr.K.Guhan, learned counsel appearing for the petitioner and Mr.V.Veerapandian, learned counsel appearing for the respondents.

3. According to the petitioner, the petitioner's son and her daughter in law obtained loan from the respondents for which the petitioner gave her property as collateral security for the said loan. It is submitted that the entire loan has been fully settled and mortgage was also cancelled by the respondent Corporation. Despite the cancellation of mortgage deed, the respondents are not coming forward to return the original documents produced by the petitioner. Hence, the petitioner has filed this writ petition.

4. Learned counsel appearing for the respondents submitted that there are no arrears and the entire loan amount has been settled and subsequently, mortgage deed also cancelled.

5. In such view of the matter, the second respondent is directed to return all the original documents submitted by the petitioner within a period of four weeks from the date of receipt of a copy of this order.

6. With the above direction, the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar

**To**

1. The Area Manager,  
LIC Housing Finance Limited,  
35-A/1&2, Amutha Shree Flats,  
Reynolds Road, Cantonment,  
Trichirappalli 620 001.

2. The Manager (Operation)  
LIC Housing Finance Limited,  
35-A/1&2, Amutha Shree Flats,  
Reynolds Road, Cantonment,  
Trichirappalli 620 001.

+ 1 CC TO M/s.VAST LAW ASSOCIATES, IN SR No. 74758  
+ 1 CC TO Mr.K.GUHAN, ADVOCATE IN SR No. 74937

SMS

TE/KM : 14/12/2016 : 2P/5C

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