

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 24.07.2017

CORAM

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

W.P.No.33902 of 2014

M.P.No.1 of 2014

A.Rani

...Petitioner

Vs.

1. The Secretary to Government,
Housing and Urban Development
Department,
Fort St. George, Chennai-6.

2. The Deputy Registrar (Housing)
Vellore.

3. The Secretary,
C.1249, Thiruvannamalai Co-op
Housing Society,
Tiruvannamalai - 606 601.

...Respondents

Prayer:- Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus to call for the impugned order in Na.Ka.977/2014/Aa(2) dated 27.06.2014 passed by the second respondent herein and quash the same and consequently direct the first respondent to consider the petitioner's representation dated 05.05.2014 for waiving the interest and penal interest levied by the third respondent against the conditions enumerated in the G.O.Ms.No.406, Co-op., dated 05.07.1979.

For Petitioner : Mr.T.Sundaravadanam

For Respondents: Mrs.T.Girija, Government Advocate
for R1 & 2

Mr.L.P.Shanmugasundaram for R3

O R D E R

This writ petition has been filed with the prayer of Writ of Certiorarified Mandamus to call for the impugned order in Na.Ka.977/2014/Aa(2) dated 27.06.2014 passed by the second respondent herein and quash the same and consequently direct the

first respondent to consider the petitioner's representation dated 05.05.2014 for waiving the interest and penal interest levied by the third respondent against the conditions enumerated in the G.O.Ms.No.406, Co-op., dated 05.07.1979.

2. According to the learned counsel for the petitioner, that the entire outstanding due loan amount has been discharged by the petitioner. The learned counsel for the petitioner relied upon a communication dated 16.11.2015 before this Court in respect of the aforesaid contention. He also requested this Court to direct the respondents to return the mortgage title deed documents to the petitioner within a time frame fixed by this Court.

3. The learned Government Advocate would submit that after verification of accounts, the mortgage title deed documents will be returned to the petitioner.

4. In view of the submission made by the learned counsel appearing on the both sides, the petitioner is granted liberty to give representation before the appropriate authority within a period of two weeks from the date of the receipt of a copy of this Order. Thereafter, after verification of the accounts, the respondents are directed to consider the request of the petitioner and return the original mortgage title deeds as expeditiously as possible, within a period of four months.

5. With the above observations, the writ petition is disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS VIII)

//True Copy// सत्यमेव जयते

Sub Assistant Registrar

rts

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To

1. The Secretary to Government,
Housing and Urban Development Department,
Fort St. George, Chennai-6.

2. The Deputy Registrar (Housing)
Vellore.

3. The Secretary,
C.1249, Thiruvannamalai Co-op
Housing Society,
Tiruvannamalai - 606 601.

+ 1 cc to Mr. T. Sundaravadanam, Advocate Sr.52704

+ 1 cc to Mr. L.P.Shanmugasundaram, Advocate Sr.52190

+ 1 cc to Government Pleader Sr.53010

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MN (CO)
EU 18.08.17



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