



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.09.2017

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.(MD)No.18107 of 2017

A.Paramasivan

... Petitioner

-vs-

The President,

No.PA56, Agricultural Co-operative Society,

Thirumayam, Pudukottai District.

... Respondent

PRAYER: Writ Petition filed under Article 226 of Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondent to return the petitioner original Sale Deed Document No.1663/1969, within stipulated time fixed by this Court.

For Petitioner

: Mr.KR.Singaravadivel

For Respondent

: Mr.D.Muruganantham

Additional Government Pleader.

O R D E R

By the consent of both sides, the writ petition itself is taken for final disposal.

2.The petitioner has come to this Court seeking a Writ of Mandamus, directing the respondent to return the petitioner's original Sale Deed Document No.1663/1969, on the file of the respondent.

3.The petitioner's father had mortgaged his property with the respondent society on 22.01.1970, during which he had given the original documents to the respondent. Subsequently, on 23.08.1982, the petitioner's father had died. Thereafter, the petitioner had paid the entire loan amount on 24.04.1987 and the respondent have also executed a receipt for the same on 24.11.1986. Later, the petitioner had also given a representation to the respondent on 28.11.2016 requesting to return the original sale deed of the petitioner. Since, the same is still pending consideration, the petitioner has come to this Court with the present writ petition.



4.A perusal of the same would clearly show that the petitioner has cleared the entire loan amount. Hence, this Court finds no impediment to direct the respondent to return the Original Sale deed bearing Document No.1663/1969, on the file of the respondent, to the petitioner.

WEB COPY

5.Mr.D.Muruganantham, learned Additional Government Pleader, who takes notice for the respondent agreed with the receipt issued by the respondent dated 24.11.1986, and submitted that the petitioner's representation would be considered within a period of one week.

6.Considering the limited scope of the prayer sought for by the petitioner, this Court hereby directs the respondent to consider the representation of the petitioner and return the Original Sale deed bearing Document No.1663/1969, on the file of the respondent to the petitioner within a period of two weeks from the date of receipt of copy of this order.

7.Accordingly, the writ petition stands disposed of with the above direction. No Costs.

Sd/-

Assistant Registrar(Records)

/True Copy/

Sub-Assistant Registrar

To

The President,
No.PA56, Agricultural Co-operative Society,
Thirumayam,
Pudukottai District.

MR/MRN

RL/2C/2P/KK/SAR1/10/11/2017

W.P.(MD)No.18107 of 2017

22.09.2017