



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.02.2017

WEB COPY

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

W.P (MD) No.16854 of 2016

Suseela

... Petitioner

vs.

1.The Deputy Registrar (Housing),
No.22, 4th Main Road,
Gandhi Nagar, Adaiyar,
Chennai - 600 020.

2.The Regional Officer (Housing),
A.A.Block, Segulam Colony,
Mannarpuram,
Trichy - 620 020.

3.The Secretary,
M.M.302 - Pudukkottai Co-operative Housing
Society Ltd.,
East Raja Street,
Pudukkottai,
Pudukkottai District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents to return the petitioner's original documents in respect of the petitioner's house site No.263, Anna Street, Balan Nagar, Trichy Road, Pudukkottai and further to take appropriate steps to remove the encumbrance on the petitioner's house site through the District Registrar, Pudukkottai by cancelling the Mortgage Deed No.3988/2000, dated 13.12.2000 on the basis of the petitioner's representations dated 27.06.2016 and 06.07.2016.

For Petitioner	: Mr.A.Ramu
For Respondents	: Mr.T.S.Mohammed Mohideen Addl. Government Pleader

O R D E R

<https://hcservices.mca.gov.in/hcservices/>
Mr. T.S. Mohammed Mohideen, learned Additional Government Pleader takes notice for the respondents.



2.This writ petition is filed seeking for a direction to the respondents to return the petitioner's original document in respect of the petitioner's house site No.263, Anna Street, Balan Nagar, Trichy Road, Pudukkottai and further to take appropriate steps to remove the encumbrance on the petitioner's house site through the District Registrar, Pudukkottai by cancelling the Mortgage Deed No.3988/2000, dated 13.12.2000 on the basis of the petitioner's representations dated 27.06.2016 and 06.07.2016.

3.The case of the petitioner is that she availed loan from the third respondent Housing Society and repaid the entire loan. It is the further case of the petitioner that the third respondent Society itself has issued a certificate on 08.01.2016 stating that the petitioner has discharged the entire loan amount on 31.12.2015. Therefore, she contended that the third respondent has to return the original document furnished by the petitioner at the time of availing the loan.

4.It is seen that the petitioner has made a representation on 06.07.2016 to the third respondent seeking for return of the document. It is stated that the said representation has not been considered so far.

5.Considering the above stated facts and circumstances, the third respondent is directed to consider the representations of the petitioner, dated 27.06.2016 and 06.07.2016 and pass orders without loss of further time. Such exercise shall be done by the third respondent within a period of four weeks from the date of receipt of a copy of this order.

6.The writ petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar

To

1.The Deputy Registrar (Housing),
No.22, 4th Main Road,
Gandhi Nagar, Adaiyar,
Chennai - 600 020.

2.The Regional Officer (Housing),
Res. Accounts, Govt. Service Colony,
Mannarpuram,
Trichy - 620 020.



3.The Secretary,
M.M.302 - Pudukkottai Co-operative Housing
Society Ltd.,
East Raja Street,
Pudukkottai,
Pudukkottai District.

+ 1 CC TO M/S.M.RAMU, ADVOCATE IN SR No. 9893
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 10067

RJ2

TE/SV-MMS/SAR-III : 03/03/2017 : 3P/6C

W.P(MD)No.16854 of 2016
22.02.2017