



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:16.11.2017

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CORAM:

THE HONOURABLE MR.JUSTICE P.D.AUDIKESAVALU

W.P. (MD) No.7044 of 2017

and

W.M.P. (MD) Nos.11780, 12097 and 15962 of 2017

N.Vidyadaran

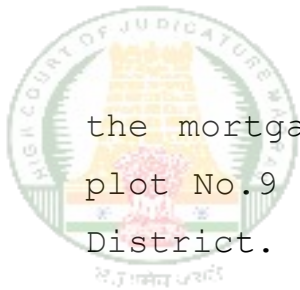
... Petitioner

Vs.

1. The Director,
Department of Co-operative Audit,
Chennai-5.
2. The District Collector,
Madurai District,
Madurai.
3. The Joint Director,
Department of Co-operative Audit,
Madurai Division,
Madurai.
4. The Assistant Director,
Department of Co-operative Audit,
Pudukottai,
Pudukottai District.
5. The Assistant Director,
Department of Co-operative Audit,
Sivagangai,
Sivagangai District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order of the 4th respondent in Na.Ga.No.1941/2011/APA(ii) dated 09.11.2016, and quash the same and consequently direct the respondents to release



the mortgage documents in respect of house property situated in plot No.9 Survey No.148/1/2 in Melur Village, Melur Taluk, Madurai District.

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For Petitioner

: Mr.Palanisamy
for Mr.Rengadurai

For R1 to 3

: Mr.N.S.Karthikeyan
Additional Government Pleader.

O R D E R

This Writ Petition is filed for issuing a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order of the 4th respondent in Na.Ga.No.1941/2011/APA(ii) dated 09.11.2016, and quash the same and consequently direct the respondents to release the mortgage documents in respect of house property situated in plot No.9 Survey No.148/1/2 in Melur Village, Melur Taluk, Madurai District.

2. Heard, Mr.Palanisamy, learned counsel appearing for the petitioner, Mr.N.S.Karthikeyan, learned Additional Government Pleader appearing for the respondents.

3.This Court by an order dated 02.11.2017 has passed the following order:-

"The relief sought in this Writ Petition is for return of title-deeds of the mortgaged property of the petitioner, which are in the custody of the first respondent. The objection raised in the counter affidavit for the return of those documents is that certain forms had not been filled up and submitted by the petitioner.

3. Hence, the concerned respondents are directed to produce the title deeds of the mortgaged property of the petitioner along with the required forms to be filled up by the petitioner and all loan account details before this Court on next hearing. The petitioner and the concerned officials shall also appear before this Court on next hearing for filling up the necessary forms on that hearing.

4.Post the case for further orders on 16.11.2017."

4.In pursuance to the above said order dated 02.11.2017 the title deeds of the mortgaged property of the petitioner had been returned to him by the concerned officials of the respondent with necessary entries of discharge as the entire amount due has been recovered from the petitioner.



5. Recording the same this writ Petition is disposed of as nothing survives for further adjudication in the matter. No costs. Consequently, connected Miscellaneous Petitions are closed.

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Sd/-
Assistant Registrar (AD-I)

/True Copy/

Sub Assistant Registrar

To

1. The Director,
Department of Co-operative Audit,
Chennai-5.
2. The District Collector,
Madurai District,
Madurai.
3. The Joint Director,
Department of Co-operative Audit,
Madurai Division,
Madurai.

+ 1 CC TO Mr.RENGADURAI, ADVOCATE IN SR No. 87701

TA

TE/MR-KKR/SAR-2 : 06/12/2017 : 3P/5C

W.P.(MD)No.7044 of 2017 and
W.M.P.(MD)Nos.11780, 12097 and 15962 of 2017
16.11.2017