



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 15.12.2017
CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD) No.11849 of 2013
and
MP(MD)No.1 of 2013

D.Vimala

... Petitioner

vs.

1. LIC Housing Finance Ltd.,
No.35/A1, 35/2, Amutha Shree Flats,
Renolds' Road,
Trichy - 620 001,
rep.by its Manager.

2. The Manager,
LIC Housing Finance Ltd.,
Madurai Back Office,
No.11/113, G.V.Complex,
Bye Pass Road,
Madurai - 625 010.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a writ of Mandamus to direct the respondents to hand over the original title deed in Document No.944 of 2007 registered before the Joint Sub-Registrar, Karur Mortgaged to the respondents in respect of the property located in S.F.No.1619 at Goundampalayam East 5th Street, Puliur Village, Karur Tk & District to an extent of 2181 sq.ft to the petitioner within the stipulated time fixed by this Court.

For Petitioner : Mr.N.Shanmugaselvam

For Respondents : Mr.V.Veerapandian,
for M/s. Vast Law Associates

O R D E R

This writ petition has been filed seeking direction to the respondents to hand over the original title deed in Document No.944 of 2007 registered before the Joint Sub-Registrar, Karur, mortgaged to the respondents in respect of the property located in S.F.No.1619 at Goundampalayam East 5th Street, Puliur Village, Karur Taluk and District, to an extent of 2181 square feet to the petitioner.



2. Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the respondents.

3. The case of the petitioner is that she has purchased the property situated in S.F.No.1619 at Goundampalayam East 5th Street, Puliyur Village, Karur Taluk and District, to an extent of 2181 square feet from her vendor viz., Selvi. Thereafter, on coming to know the fact that her vendor had already obtained loan from the respondents by depositing the title deeds of the said property, she has discharged the entire loan amount availed by her vendor. However, the respondents have not come forward to return the original title deeds of the said property. Hence, the petitioner is before this Court with the above mentioned prayer.

4. The learned counsel appearing for the petitioner as well as the learned counsel for the respondents submitted that the entire loan amount had already been discharged. The learned counsel appearing for the respondents also submitted that if the petitioner approaches the respondents with relevant documents, the claim of the petitioner for returning the documents would be considered.

5. Recording the said submission made by the learned counsel for the respondents, the petitioner is directed to approach the respondents with all relevant documents for the return of documents within a period of two weeks from the date of receipt of a copy of this order. On such production, the respondents shall consider the same and pass necessary orders in respect of return of documents within a period of two weeks thereafter.

6. With the above direction, this writ petition is disposed of. No costs. Consequently, MP(MD)No.1 of 2013 is closed.

Sd/-

Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar

MJ

VB/KK/SAR3/08/01/2018/2P/1C

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15.12.2017