

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.03.2018

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.6226 of 2018

S.Robert Panneer Selvam

..Petitioner

-vs-

1. The Commissioner
Commissioner of Municipal Administration office
VI Floor
Ezhilagam Annexure
Chepauk
Chennai 600 005

2. The Accounts Officer
Director of Municipal Administration office
VI Floor
Ezhilagam Annexure
Chepauk
Chennai 600 005

3. The Commissioner
The Thirupathur Municipality
Thirupathur
Vellore District

..Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the first respondent to consider the petitioner's representation dated 18.05.2011 and dispose the same within a reasonable time and consequently direct the respondents to return the petitioner's sale deed document No.1310 dated 23.5.1984 and allied documents to the petitioner with reference to the property bearing Plot No.13, Door No.7, Janshirani Street, Rajajipuram, Periyakuppam, Thiruvallur District.

For Petitioner :: Mr.M.Chidambaram

For Respondents :: Mr.V.Kadhirvelu
Special Government Pleader

ORDER

The petitioner, after joining the office of the first respondent as Public Works Inspector, subsequently got promotion

to various posts like Junior Assistant, Nutrition Assistant, Accountant and Head Clerk. While he was serving at Kathivakkam Municipality, he purchased a plot to construct a house and also applied for House Building Advance to the first respondent on 24.6.85. The first respondent, accepting his request, sanctioned the House Building Advance under three stages, namely, a sum of Rs.13,650/- in the first stage, a sum of Rs.18,200/- in the second stage and a sum of Rs.13,650/- in the third stage. Totally the petitioner received a sum of Rs.45,500/- as housing loan from the first respondent. As the said loan was not sufficient, he has applied for second additional House Building Advance of Rs.29,500/- before the first respondent. At the time of sanction, the first respondent received the original sale deed and other connected papers relating to the property situate at Door No.7, Janshirani Street, Rajajipuram, Thiruvallur District for security purpose. It is claimed by the petitioner that he has cleared the entire House Building Advance of Rs.75,000/- with interest to the first respondent. Learned counsel for the petitioner submitted that after the discharge of the entire loan with interest, it is the bounden duty of the first respondent to return the original sale deed of the property and the allied papers to the petitioner. But the same has not been done. In the meanwhile, the petitioner also retired from service on 31.1.2000. When the petitioner had repaid the entire loan amount, in spite of his representation dated 18.5.2011 and various notices given thereafter, no response is forthcoming. Therefore, a direction be issued.

2. Mr.V.Kadhirvelu, learned Special Government Pleader takes notice on behalf of the respondents.

3. This Court, taking note of the fact that the petitioner has repaid the entire loan with interest to the first respondent, is inclined to direct the first respondent to consider the representation of the petitioner dated 18.5.2011. For the said purpose, the petitioner is directed to furnish a copy of the representation dated 18.5.2011 to the first respondent along with a copy of this order within a period of one week from the date of receipt of a copy of this order and on receipt of such representation, the first respondent is further directed to consider the same and do the needful within a period of two weeks thereafter. With this direction, the writ petition is disposed of accordingly. No costs.

SS

Sd/-
Assistant Registrar (CS-IX)

//True Copy//

Sub Assistant Registrar

To

1. The Commissioner
Commissioner of Municipal Administration office
VI Floor
Ezhilagam Annexure
Chepauk
Chennai 600 005

2. The Accounts Officer
Director of Municipal Administration office
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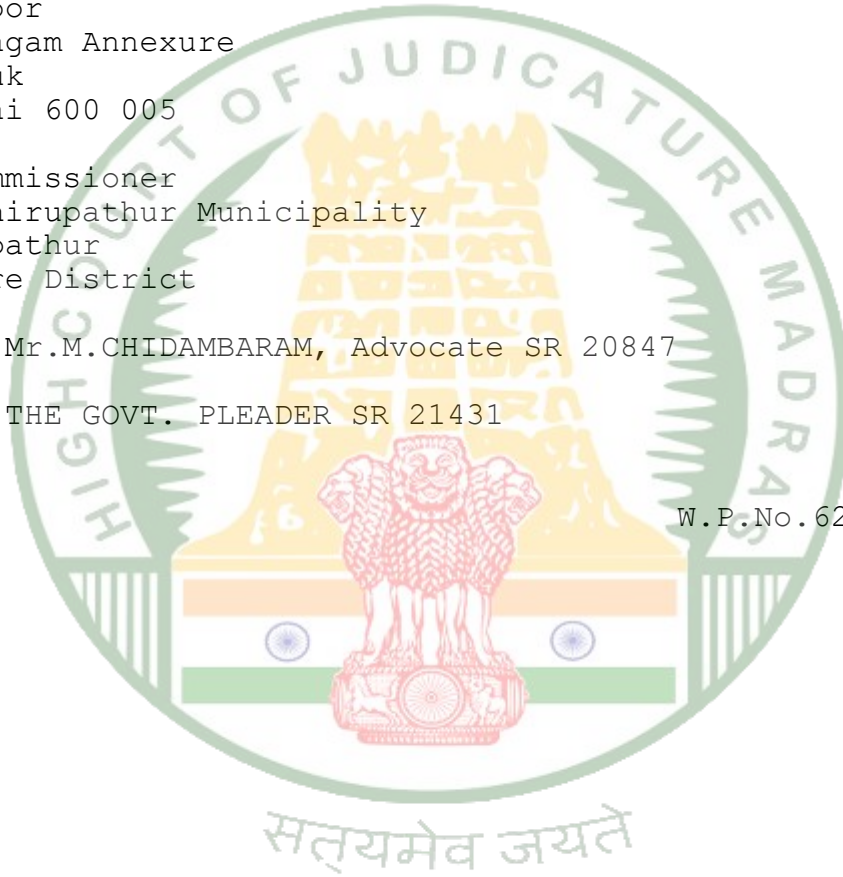
3. The Commissioner
The Thirupathur Municipality
Thirupathur
Vellore District

+ 1 CC to Mr.M.CHIDAMBARAM, Advocate SR 20847

+ 1 CC to THE GOVT. PLEADER SR 21431

KR/4/4/18

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