



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.07.2018

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P.(MD) No.22161 of 2017

G.Subbiyan

... Petitioner

vs.

1. The Registrar(Housing),
No.40, Ritherdon Road,
Vepery, Chennai-600 040.
2. The Deputy Registrar,
Co-operative Housing Society,
Opp. to T.V.S., Vannarapettai,
Thirunelveli-627 003.
3. The Manager,
Nagercoil Town Co-operative
Housing Society Ltd. No.Y3,
Near-Lakshmi Mahal Mandapam,
S.L.B. School Road, Nagercoil,
Kanyakumari District-629 001.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus, directing the first and second respondents to return back the petitioner's Original Documents No.1352/1995 to him, in lieu of the closure Receipt No.2417/2011 dated 22.06.2011, executed by the third respondent for the full settlement of the mortgage loan amount, within the stipulated period.

For Petitioner : Mr.A.K.Thangavelu
For Respondents : Mr.J.Gunaseelanmuthiah,
Additional Government Pleader.

O R D E R

Today, when the matter was called, the representative of the third respondent society, namely, Mr.A.Thamburan Thozha Pillai, Assistant, Nagercoil Town Co-operative Housing Society Ltd. No.Y3, Nagercoil, Kanyakumari District, has handed over the following documents and the learned counsel appearing for the petitioner acknowledged the receipt of the same.

- 1.Sale Deed No.1352/95, dated 05.06.1995
- 2.Sale Deed No.566/89, dated 27.03.1989
- 3.Sale Deed No.567/89, dated 27.03.1989



- 4.Sale Deed No.568/89, dated 27.03.1989
- 5.E.C.No.149/98, dated 02.03.1998
- 6.E.C.No.718/98, dated 28.05.1998
- 7.T.C. For Subbiah No.88/64
- 8.Mortgage Bond No.1620/98
- 9.G.Subbiah Pay Certificate
- 10.Panchayat Order with plan
- 11.Age Certificate for K.Lakshmi
- 12.Income Certificate for K.Lakshmi.

2.The learned Additional Government Pleader appearing for the second respondent has also filed a memo, dated 24.07.2018, to that effect.

3.Mr.A.K.Thangavelu, learned counsel appearing for the petitioner has received the aforesaid twelve original documents, the subject matter of the mortgage loan, which was closed, vide closure receipt No.2417/2011, dated 22.06.2011, executed by the third respondent herein and as such, the petitioner may not have any further grievance.

4.Accordingly, this writ petition stands closed. No costs.

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar (CS-I)

To:

1. The Registrar(Housing),
No.40, Ritherdon Road,
Vepary, Chennai-600 040.
2. The Deputy Registrar,
Co-operative Housing Society,
Opp. to T.V.S., Vannarapettai,
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Kanyakumari District-629 001.

+ 1 CC TO Mr.A.K.THANGAVELU, ADVOCATE IN SR No. 74654
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 74816

CP