

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.10.2019

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.21758 of 2019

Suganthi Sheeba

.. Petitioner

-vs-

1.The Director of Drug Control,
Siva Sankaran Road,
Chockalingam Nagar,
Teynampet, Chennai-600 086.

2.The District Collector,
Collectorate,
Dharmapuri District, Dharmapuri.

3.The Assistant Director of Drug Control,
Salem Region,
No.130/9 & 130/10, Panangadu,
Meiyannur, Salem.

.. Respondents

Petition under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus directing respondents 2 and 3 to receive the interest amount of Rs.23,484/- and return the original Sale Deed dated 04.09.1989, bearing Regn. No.1161 of 1989 on the file of Sub Registrar, Dharmapuri (West) which was handed over by my mother by considering my representation dated 06.06.2019 within the time to be stipulated by this Court.

For Petitioner : Mr.Vijaya Ragavan M.

For Respondents : Mr.A.N.Thambidurai,
Special Government Pleader

O R D E R

This writ petition has been filed by the petitioner for issuance of a Writ of Mandamus directing respondents 2 and 3 to receive the interest amount of Rs.23,484/- and return the original Sale Deed dated 04.09.1989, bearing Regn.

No.1161 of 1989 on the file of Sub Registrar, Dharmapuri (West), which was handed over by the writ petitioner's mother by considering the petitioner's representation dated 06.06.2019.

2.Heard Mr.Vijaya Ragavan M., learned counsel for the petitioner and Mr.A.N.Thambidurai, learned Special Government Pleader for the respondents.

3.With consent, this writ petition is taken up for final disposal.

4.The case of the petitioner is that the petitioner's mother, viz., R.Angelin Kamalam, who was working as Junior Assistant in the 3rd respondent's office, died on 18.04.2004, and the petitioner's father also died on 09.02.2013, and the petitioner and her sister are the only legal heirs.

5.The further case of the petitioner is that while her mother was in service, she obtained Housing Loan from the 2nd respondent in the year 1989 and she paid the entire amount. However, the interest amount was not paid, for which, the 2nd and 3rd respondents are refusing to return original Sale Deed dated 04.09.1989, bearing Regn. No.1161 of 1989 on the file of Sub Registrar, Dharmapuri (West). Aggrieved over the same, the present writ petition has been filed.

6.The learned counsel appearing for the petitioner, on instructions, would submit that the petitioner is ready and willing to repay the interest within the time as stipulated by this Court and the total due is sum of Rs.23,484/- (Rupees Twenty Three Thousand and Four Hundred and Eighty Four only). It is further submitted that a Demand Draft, dated 05.10.2019 in D.D.No.161883, has been drawn in favour of the 3rd respondent, viz., the Assistant Director of Drug Control in Vijay Bank (Now - Bank of Baroda).

7.Mr.A.N.Thambidurai, learned Special Government Pleader appearing for the respondents would submit that immediately after the receipt of the demand draft from the petitioner, the Sale Deed will be returned to the petitioner within a period of four weeks.

8.In view of the views expressed by the learned counsel for the parties, I am inclined to direct the petitioner to hand over the demand draft directly to the 3rd respondent on or before 18.10.2019. Thereafter, the 3rd respondent is

directed to forward the proposal to the 2nd respondent to enable him to return the Original Sale Deed dated 04.09.1989, bearing Regn. No.1161 of 1989 on the file of Sub Registrar, Dharmapuri (West) to the petitioner and such exercise shall be completed by the 2nd and 3rd respondents within a period of three weeks' from 18.10.2019.

9.With the above directions, this writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

abr
To

- 1.The Director of Drug Control,
Siva Sankaran Road,
Chockalingam Nagar,
Teynampet, Chennai-600 086.
- 2.The District Collector,
Collectorate,
Dharmapuri District, Dharmapuri.
- 3.The Assistant Director of Drug Control,
Salem Region,
No.130/9 & 130/10, Panangadu,
Meiyannur, Salem.

Copy to:

The Sub Registrar, Dharmapuri (West), Dharmapuri

+1cc to Mr.Vijayaraghavan , Advocate SR.No. 85661

W.P.No.21758 of 2019

A.SK(14/10/2019)

WEB COPY