



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.09.2019

CORAM:

THE HONOURABLE MR.JUSTICE M.SUNDAR

W.P (MD)No.8762 of 2019

K.Swarna

... Petitioner

vs.

The Deputy Manager (Administration),
Indian Institute of Technology Madras,
Chennai - 600 036.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to direct the respondent to consider the petitioner's representation dated 13.08.2018 to return the original title deeds and other documents produced by the petitioner's father C.D.N.Karunakaran at the time of availing housing loan from the respondent Institute.

For Petitioner : Mr.P.Mani Anandh

For Respondent : Mr.V.Karthikeyan
for Mr.N.Balamurali Krishnan

ORDER

Mr.P.Mani Anandh, learned counsel on record for writ petitioner and Mr.V.Karthikeyan, learned counsel representing Mr.N.Balamurali Krishnan, learned counsel on behalf of the respondent are before this Court.

2. With consent of learned counsel on both sides, main writ petition is taken up, heard out and is being disposed of.

3. The main writ petition turns on a very narrow compass, as it is one seeking mandamus qua disposal of writ petitioner's representation dated 13.08.2018 wherein writ petitioner has sought return of original title deeds and documents produced by petitioner's father for availing housing loan.

4. Notwithstanding several averments made in the affidavit filed in support of the writ petition, notwithstanding several grounds raised / contentions urged in the affidavit filed in support of instant writ petition, learned counsel for writ petitioner abridges the scope of the writ petition and submits that it will suffice if the respondent is directed to dispose of the aforementioned representation of the writ petitioner, dated 13.08.2018 on its own merits and in accordance with law.



5. Learned counsel submitted that the respondent shall consider the aforementioned representation dated 13.08.2018 made by the writ petitioner (page Nos.14 & 15 of the typed set of papers forming part of the case file) within a time frame stipulated by this Court.

6. The aforesaid representation dated 13.08.2018 shall be disposed of by the respondent on its own merits and in accordance with law as expeditiously as possible and in any event, within a period of eight weeks from the date of receipt of a copy of this order.

7. It is made clear that in the course of the representation being considered by the respondent, if the rights of any other third party / parties or any other third party entity / entities is / are likely to be affected, the respondent shall give reasonable opportunity to such third party / parties or any other third party entity / entities, before disposing of the aforementioned writ petitioner's representation. Though obvious, it is made clear that this Court has not expressed any opinion or view on the merits of the matter.

8. The proceeding / order of disposal shall be communicated by the office of the respondent to the writ petitioner under due acknowledgement within seven working days from the completion of aforesaid exercise.

9. Instant Writ Petition is disposed of with the above directions. No costs.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

To

The Deputy Manager (Administration),
Indian Institute of Technology Madras,
Chennai - 600 036.

+1 CC to Mr.V.KARTHIKEYAN, Advocate SR-87325.

+1 CC to Mr.T.LENIN KUMAR, Advocate SR-87425.

W.P (MD) No. 8762 of 2019

17.09.2019

CS(30.09.2019) 2P 4C