



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:14.02.2020

CORAM:

WEB COPY THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P(MD)No.2797 of 2020

M.Siva Sangareswari

... Petitioner

Vs.

- 1.The Tamil Nadu Government,
represented by its Secretary,
Department of Housing and Urban Development,
Secretariat,
Fort St.George,
Chennai-9.
- 2.The Registrar of Cooperative Societies(Housing),
No.22, Fourth Main Road,
Gandhi Nagar,
Adayar, Chennai-20.
- 3.The Additional Registrar/Managing Director,
Tamil Nadu Co-operative Housing Federation,
No.48, Rithendan Road,
Veppary,
Chennai-7.
- 4.The Regional Deputy Registrar(Housing),
Cooperative Societies,
No.15, Melur Main Road,
Madurai-20.
- 5.The Secretary,
MDA/HSG 52, K.Puthur Housing Society,
Plot No.293, Karpagam Nagar,
K.Pudhur,
Madurai-7.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying this Court to issue a Writ of Mandamus directing the fifth respondent to furnish the statement of loan accounts and consequently the Petitioner may be permitted to pay all the dues of the loan amount, on behalf of the petitioner's family to the fifth respondent towards the Loan No.H.37(L.F.No.35/7) thereby



cancel the mortgage deed in Document No.643 of 2003 at Sub-Registrar, Arasaradi, Madurai and return the entire title deeds vide Document No.2608/1987 to the hands of the Petitioner's mother namely M.Kohila(membership No.1885) within a reasonable time stipulated by this Court pursuant to the representation dated 17.12.2019 made to the 3rd and 5th respondents.

For Petitioner : Mr.A.B.Natarajan
For Respondents : Mr.Aayiram K.Selvakumar
1 to 4 Additional Govt.Pleader

For Respondent-5 : Mrs.J.Padmavathi Devi,
Special Govt.Pleader

ORDER

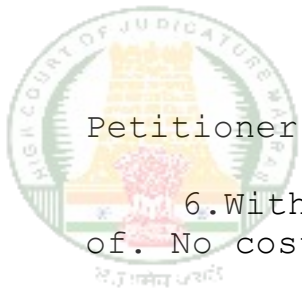
This Writ Petition has been filed seeking issuance of a Writ of Mandamus directing the fifth respondent to furnish the statement of loan accounts and consequently the Petitioner may be permitted to pay all the dues of the loan amount, on behalf of the petitioner's family to the fifth respondent towards the Loan No.H.37(L.F.No.35/7) thereby cancel the mortgage deed in Document No.643 of 2003 at Sub-Registrar, Arasaradi, Madurai and return the entire title deeds vide Document No.2608/1987 to the hands of the Petitioner's mother namely M.Kohila(membership No.1885).

2.Mr.Aayiram K.Selvakumar, learned Additional Government Pleader takes notice for the respondents 1 to 4 and Mrs.J.Padmavathi Devi, learned Special Government Pleader takes notice for the fifth respondent.

3.By consent of parties, the main Writ Petition is taken up for final disposal.

4.Today, when the matter is taken up for hearing, the learned Special Government Pleader appearing for the fifth respondent has produced a memo of calculation before this Court and the learned counsel for the Petitioner also willing to settle the said amount to the fifth respondent within a period of four weeks and on such payment, the fifth respondent to return the title deeds which is the subject-matter in this Writ Petition.

5.In view of the above submission made by both sides, the Petitioner is directed to settle the entire amount as mentioned in the Calculation Memo to the credit of Loan No.H.37 (L.F.No.35/7), on the file of the fifth respondent/Housing Society, within a period of four weeks from the date of receipt of a copy of this order and on such payment made by the Petitioner, the fifth respondent/Housing Society is directed to return the title deeds which is the subject-matter in issue to the



Petitioner, without any delay.

6. With the above directions, the Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar (CS)

vsn

To

1. The Secretary,
Government of Tamil Nadu,
Department of Housing and Urban Development,
Secretariat, Fort St. George, Chennai-9.
2. The Registrar of Cooperative Societies (Housing),
No.22, Fourth Main Road,
Gandhi Nagar, Adayar, Chennai-20.
3. The Additional Registrar/Managing Director,
Tamil Nadu Co-operative Housing Federation,
No.48, Rithendan Road, Veppary, Chennai-7.
4. The Regional Deputy Registrar (Housing),
Cooperative Societies, No.15, Melur Main Road,
Madurai-20.
5. The Secretary,
MDA/HSG 52, K.Puthur Housing Society,
Plot No.293, Karpagam Nagar,
K.Pudhur, Madurai-7.

+1 CC to M/s.A.B.NATARAJAN, Advocate (SR-6397[F] dated 14/02/2020
+1 CC to M/s.SPL.GP (SR-6611[F] dated 17/02/2020)
+1 CC to M/s.SPL.GP (SR-6761[F] dated 18/02/2020)

ORDER MADE IN
W.P (MD) No.2797 of 2020
14.02.2020

SVN (CO)

TR (25.02.2020) 3P 9C