



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.06.2021

CORAM :

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD) .No.3513 of 2021

C.Sivaperuman

...Petitioner

Vs.

1.The Registrar (Housing Board),
48, Ritherdon Road,
Vepery, Chennai-600 007.

2.The Registrar of Co-operative Societies,
No.170, N.V.Natarajan Maaligai,
Periyar EVR High Road,
Kilpauk, Chennai-600 010.

3.The Additional Registrar of Co-operative Societies,
No.170, N.V.Natarajan Maaligai,
Periyar EVR High Road,
Kilpauk, Chennai-600 010.

4.The Chairman/Joint Registrar,
Madurai District Recruitment Bureau for Co-operative Societies,
No.13A, Kanaga Apartments,
LDC College Road, Chinna Chockikulam,
Madurai-625 002.

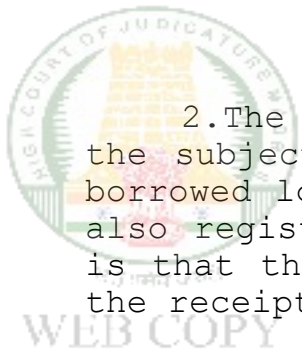
... Respondents

Prayer: This Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to consider the representation of the petitioner dated 05.11.2020 addressed to the third respondent which has been forwarded to the first respondent.

For Petitioner	: Mr.J.Hariharan
For Respondents	: Mr.M.Lingadurai Government Advocate

ORDER

This writ petition has been filed for issuance of a writ of mandamus directing the first respondent to consider the representation made by the petitioner on 05.11.2020, which was forwarded to the first respondent by the third respondent through communication dated 20.11.2020.



2.The case of the petitioner is that his father had purchased the subject property by virtue of sale deed dated 19.01.2005. He borrowed loans by pledging the original title deed and the same was also registered on 03.03.2005. The further case of the petitioner is that the entire loan has been repaid including the interest and the receipt was also issued on 11.05.2009.

3.The father of the petitioner executed a Will in favour of the petitioner and the same was also registered on 16.08.2005. On the death of the father, the property devolved upon the petitioner. When the petitioner was making attempts to redeem the original title document, to his shock, he came to know that the Society itself was not functioning. The petitioner left with no other option made a representation to the third respondent seeking for the return of original title deed. The third respondent, by letter dated 20.11.2020, forwarded the request to the first respondent. The grievance of the petitioner is that there was no absolute progress thereafter. Therefore, left with no other option, the present writ petition has been filed before this Court seeking for appropriate directions.

4.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondent.

5.Taking into consideration the facts and circumstances of the case and the limited relief sought for in this writ petition, there shall be a direction to the first respondent to immediately act upon the communication dated 20.11.2020 made by the third respondent, wherein, the request made by the petitioner for return of original title document was forwarded to the first respondent and necessary orders shall be passed within a period of four weeks from the date receipt of the copy of this order.

6.The petitioner is directed to make a fresh representation to the first respondent along with all the relevant documents and also a copy of this order. A copy of the representation shall also be marked to the third respondent.

7.This writ petition is disposed of with the above direction.
No costs.

Sd/-

Assistant Registrar (CSII)

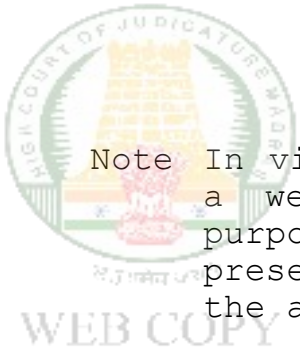
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/ /2021

Sub Assistant Registrar(CS)

cp

<https://hcservices.ecourts.gov.in/hcservices/>



Note In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To:-

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KB(05.07.2021) 3P 5C