



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **13.07.2021**

CORAM:

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD) .No.10518 of 2021

WEB COPY

P.Rakkumuthu

... Petitioner

Vs.

1.The Secretary,
Madurai Co operative Building Association No.A63/1092,
51, Bezant Road,
Chokkikulam, Madurai District.

2.The Sub Registrar,
Madurai District Co operative Associations,
13, Kanaga Apartment,
L.T.C.Road,
Chokkikulam,
Madurai.

3.The Managing Director,
Tamil Nadu Co-operative Housing Federation,
48, Ritherdon Road,
Vepery,
Chennai - 600 007.

... Respondents

[Respondent No.3 is *suo-motu* impleaded vide order of this Court dated 13.07.2021.]

Prayer: Writ petition filed under Article 226 of the Constitution of India, for the issuance of Writ of Mandamus directing the first respondent herein to take appropriate action against the second respondent to return the petitioner's documents herein on the basis of the petitioner's representation dated 25.05.2021, within the time stipulated by this Court.

For Petitioner : Mr.J.Vishnu
For Respondents : Mr.R.Suresh Kumar
Government Advocate

ORDER

The Managing Director, Tamil Nadu Co-operative Housing Federation, 48, Ritherdon Road, Vepery, Chennai - 600 007, is *suo motu* impleaded as third respondent in this Writ Petition.

2. This Writ Petition has been filed for the issue of a Writ of Mandamus directing the respondents to return the documents
<https://hcservices.ecourts.gov.in/hcservices/>



to the petitioner on the basis of the representation made by the petitioner on 25.05.2021.

3. The case of the petitioner is that his father had taken loan in the year 1988 from the second respondent and subsequently, the petitioner has paid the entire loan amount to the second respondent and the same has also been acknowledged. The grievance of the petitioner is that the second respondent did not return back the original documents and left with no other option, the present Writ Petition has been filed before this Court.

4. The learned Government Advocate appearing on behalf of the respondents submitted that the first respondent has already forwarded the proposal to the impleaded third respondent on 28.11.2019 and the third respondent will have to return back the documents.

5. Taking into consideration the facts and circumstances of the case and the submissions made by the learned Government Advocate, there shall be a direction to the third respondent to return back the original documents to the first respondent within a period of two weeks from the date of receipt of a copy of this order. Thereafter, the first respondent shall hand over the original documents to the petitioner within a period of two weeks.

6. The petitioner is directed to make a fresh representation to the first and third respondents along with a copy of this order.

7. This Writ Petition stands disposed of with the above directions. No costs.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

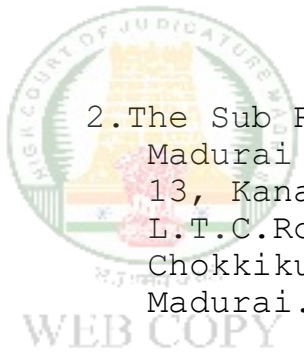
/ /2021

Sub Assistant Registrar(CS)

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

1.The Secretary,
Madurai Co operative Building Association No.A63/1092,
51, Bezant Road,
Chokkikulam,
Madurai District.



2.The Sub Registrar,
Madurai District Co operative Associations,
13, Kanaga Apartment,
L.T.C.Road,
Chokkikulam,
Madurai.

3.The Managing Director,
Tamil Nadu Co-operative Housing Federation,
48, Ritherdon Road,
Vepery,
Chennai - 600 007.

+1 CC to M/s.SPL GP (SR-22522[F] dated 14/07/2021)

W.P. (MD) .No.10518 of 2021
13.07.2021

SSS(CO)
KB(03.08.2021) 3P 5C