



W.P(MD).No.8103 of 2021

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.08.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD).No.8103 of 2021

A.Balakrishnan

... Petitioner

Vs.

1. The State rep.by
The Sub-Registrar,
Oddanchatram,
Dindigul District.

2.The President,
P-583, Thangachiammapatty Primary,
Agricultural Co-operative Credit Society,
Oddanchatram Taluk,
Dindigul District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the second respondent to accept the certified copy of partition deed document No.1150 of 1988 registered before the 1st respondent on 27.09.1988 for registration and for



W.P(MD).No.8103 of 2021

availing loan.

For Petitioner : Mr.V.Muthumani
for Mr.R.Senthil Kumar

For Respondents : Mr.K.S.Selvaganesan
Additional Government Pleader
for R1
Mr.M.Senthil Ayyanar,
Government Advocate for R2

ORDER

Heard the learned counsel on either side.

2. The petitioner wants to avail loan from the second respondent. However, the Memorandum of Deposit of Title Deeds will have to be registered. The petitioner is not having the original partition deed. It appears to have been misplaced. The first respondent has taken the stand that unless the parent document is produced, they will not register the Memorandum of Deposit of Title Deeds. If the Creditor is willing to sanction the loan and is willing to create MODT, the first respondent cannot



W.P(MD).No.8103 of 2021

WEB COPY

have any objection. If any such MODT is presented, the first respondent shall receive the same and register it, without insisting on production of the original partition document No.1150 of 1988.

3. Accordingly, this Writ Petition is allowed. No costs.

03.08.2022

Index : Yes / No

Speaking Order : Yes / No

ssb

To

1. The Sub-Registrar,
Oddanchatram,
Dindigul District.

2. The President,
P-583, Thangachiammapatty Primary,
Agricultural Co-operative Credit Society,
Oddanchatram Taluk,
Dindigul District.



WEB COPY



W.P(MD).No.8103 of 2021

G.R.SWAMINATHAN, J.

ssb

W.P(MD).No.8103 of 2021

03.08.2022