



W.P(MD)No.12855 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.08.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.12855 of 2022

M.Subramani

... Petitioner

Vs.

1.The Registrar of Cooperative Societies,
No.170, N.V.Natarajan Maaligai,
Periyar E.V.R. High Road,
Ponnamallee High Road – Razak Garden,
Arumbakkam, Chennai – 600 106.

2.The Deputy Registrar (Housing),
5-A, Besant Road,
Ramamoorthy Road,
Chokkikulam,
Madurai – 625 002.

3.The Secretary,
M.D.A.H.S.G, 124, Madurai District All Cooperative
Societies' Workers and Public Service Cooperative
Housing Society Ltd.,
Arasaradi, Madurai – 625 016.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 3rd Respondent to return the petitioners title documents bearing Document Nos. 6746/1995 dated 28.08.1995 and 7071/1995 dated 28.08.1995, which were registered at Sub Registrar Office, Arasaradi, Madurai within the time limit as stipulated by this Court.



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For Petitioner : Mr.R.Murugappan

For Respondents : Mr.M.Senthil Ayyanar,
Government Advocate.

ORDER

Heard the learned counsel on either side.

2. The petitioner had borrowed a sum of Rs.4,90,000/- from the third respondent way back in the year 2006. The petition mentioned title deeds were deposited and memorandum of deposit was also duly registered. It is stated that the entire loan amount was repaid together with interest in the year 2016. The registration of memorandum of deposit of title deeds was also duly cancelled. However, the petitioner's title documents are yet to be returned. The petitioner gave several representations. That were in vain. That led to filing of this writ petition.

3. When the return of the loan amount with interest is not in doubt, the respondents are not justified in withholding the petition mentioned title documents.

4. Thiru.M.Senthil Ayyanar, learned Government Advocate repeatedly submitted that a proposal has been sent by the second respondent to the first respondent to release the document in question.



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5. The first respondent is directed to act on the said proposal forthwith so that the petition mentioned document is returned to the petitioner within a period of six weeks from the date of receipt of a copy of this order.

6. The Writ Petition is allowed. No costs.

22.08.2022

Index : Yes / No
Internet : Yes/ No
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To:-

- 1.The Registrar of Cooperative Societies,
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