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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.04.2023

CORAM

THE HONOURABLE MR.JUSTICE **C.V.KARTHIKEYAN**

W.P.(MD)No.7940 of 2023

V.Shanmugaraj

... Petitioner

vs.

1.The State Bank of India,
Srivaikundam Branch (00920),
No.16, North Masi Street,
Srivaikundam,-628 601,
Thoothukudi District.

2.The Sub Registrar,
Registration Department,
Nazareth, Thoothukudi District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the first respondent to produce discharge receipt (MOD) before the second respondent for the payment of loan for the mortgaged property on 20.12.2007.

For Petitioner	:Mr.R.Velmurugan
For R1	:Mr.Anand C.Rajesh
For R2	:Mr.M.Prakash
	Additional Government Pleader



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ORDER

This Writ Petition has been filed in the nature of Mandamus seeking a direction against the first respondent to produce discharge receipt (MOD) before the second respondent for the payment of loan for the mortgaged property on 20.12.2007.

2.Heard Mr.R.Velmurugan, learned Counsel for the petitioner, Mr.Anand C.Rajesh, learned Counsel for the first respondent. Mr.M.Prakash, learned Additional Government Pleader for the first respondent.

3.Consequent to the order, dated 10.04.2023, the petitioner had filed necessary application before the Subordinate Court, Tiruchendur to amend the decree to also include discharge of mortgage. The learned Counsel for the petitioner stated that such application has been filed.

4.A direction is given to the Sub Court, Tiruchendur, to examine that particular interlocutory application and dispose it of in the manner known to law, after following due process.



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5.No further orders are required, since it would be only be
duplicity of the same issue and therefore, the Writ Petition stands
disposed of. No costs.

Index :Yes / No
Internet :Yes
NCC : Yes/No

24.04.2023

cmr

To

1.The Subordinate Judge,
Sub Court, Tiruchendur.

2.The Sub Registrar,
Registration Department,
Nazareth, Thoothukudi District.



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C.V.KARTHIKEYAN, J.

cmr

Order made in
W.P.(MD)No.7940 of 2023

24.04.2023