



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.12.2023

CORAM

THE HON'BLE MR.JUSTICE G.R.SWAMINATHAN

WP(MD)No.28036 of 2023

Banumathy

... Petitioner

VS.

1.The District Registrar,
Madurai.

2.The Joint Sub Registrar IV,
Madurai (South) Joint IV.

3.The Authorised Officer,
The Madura Hindu Permanent Fund
Ltd.,
Ramaiah Main Street, Jaihindpuram,
Madurai – 625 011.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents 1 and 2 to cancel the entry in Encumbrance Certificate in respect of the Plot No.19 situates in S.No. 83/5A3, D.No.10A/8 in Madakulam Village, Thirupparangunram Taluk, Madurai District measuring 912 Sq.Ft. based on the representation dated 13.10.2023.

For Petitioner : Mr.N.Mohan

For Respondents : Mr.M.Sidharthan,
Additional Government Pleader for R1 and R2



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ORDER

Heard both sides.

2.The petitioner had availed loan from the third respondent. The mortgage account has been settled. The third respondent is directed to issue discharge certificate and also have the same registered before the 2nd respondent. The petitioner's father in law's brother availed mortgage loan from the third respondent. The petitioner is interested in the matter because the borrower had executed a Will in favour of the petitioner. Since the mortgage account has been settled, the third respondent is directed to issue discharge certificate in favour of the petitioner and the same also shall be registered by the second respondent as expeditiously as possible.

3.This writ petition is allowed. No costs.

21.12.2023

Index : Yes / No
Internet : Yes / No
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G.R.SWAMINATHAN, J.

SKM

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