



W.P.No.25295 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.09.2024

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.25295 of 2024

L.Nagaraj

... Petitioner

Vs.

1.The Superintending Engineer,
Karur Distribution Circle, Tamil Nadu Electricity Board,
TANGEDCO,
Karur District.

2.The Executive Engineer/General,
Karur Distribution Circle, Tamil Nadu Electricity Board,
TANGEDCO,
Karur District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the first respondent to consider the petitioner's representation dated 04.08.2021 and direct the first respondent to cancel the mortgage deed executed by the petitioner on 23.08.1990 vide Doc.No.3762/1990 in favour of the first respondent within a stipulated time fixed by this Court.



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For Petitioner : Mr.P.Muthusamy

For Respondents : Mr.S.Kalaiselvan

ORDER

This Writ Petition has been filed to direct the first respondent to consider the petitioner's representation dated 04.08.2021 and cancel the mortgage deed executed by the petitioner on 23.08.1990 vide Doc.No.3762/1990 in favour of the first respondent within a time fixed by this Court.

2. The case of the petitioner is that the petitioner has borrowed loan from the first respondent by mortgaging his property and even after the payment of entire loan, the first respondent has not taken any steps to cancel the mortgage deed executed by the petitioner on 23.08.1990 vide Doc.No.3762/1990 and therefore, the petitioner has made a representation on 04.08.2021, however, the same has not been considered so far. Therefore, the petitioner has filed the present writ petition with the aforesaid prayer.



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3. The learned counsel appearing for the petitioner would submit that it would suffice, if the first respondent is directed to dispose of the representation of the petitioner, dated 04.08.2021 on merits and in accordance with law, within a specified period.

4. The learned counsel appearing for the respondents has no serious objection for such an order being passed by this Court.

5. Considering the limited request made by the learned counsel for the petitioner, this Court, without going into the merits of the matter, directs the first respondent to consider the representation of the petitioner, dated 04.08.2021 and pass appropriate orders, on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order. If the entire loan amount has been settled, the first respondent may cancel the mortgage deed executed by the petitioner.



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5. With the above direction, this Writ Petition is disposed of. No

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costs.

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NCC: Yes / No

Index : Yes / No

Speaking Order : Yes / No

ssb

To

1.The Superintending Engineer,
Karur Distribution Circle, Tamil Nadu Electricity Board,
TANGEDCO,
Karur District.

2.The Executive Engineer/General,
Karur Distribution Circle, Tamil Nadu Electricity Board,
TANGEDCO,
Karur District.



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M.DHANDAPANI, J.

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