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W.P.No.22635 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.08.2024

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.No. 22635 of 2024

K.M.Kaliyaperumal

.... Petitioner

Vs

1. The Registrar of Co- Operative
Societies (Housing),
Tamilnadu Co-Operative Housing
Federation Building,
No.48, Ritherton Road,
Veppery, Chennai-600 007

2. The Deputy Registrar of
Co-Operative Societies (Housing),
South Kavarai Street,
Manjakuppam, Cuddalore -1

3. The Sub Registrar/Liquidation Officer of
Co-Operative Societies(Housing)
Cuddalore Taluk Co-Operative
Housing Society Ltd,
Cuddalore.

.... Respondents

Prayer:- Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Mandamus directing the respondents to return the petitioner's Original Document vide Sale Deed No.2458/1961 dated 17.9.1961 on the file of the Sub Register Office, Panruti, Cuddalore



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District, which was handed over by him, as security for loan or issue a Non-Traceable Certificate.

For Petitioner : Mr.M.Vijayaraghavan

For Respondents : Mr.M.Rajendran
Additional Government Pleader

ORDER

This Writ Petition has been filed for a direction, directing the respondents to return the original sale deed registered vide document No.2458 of 1961 dated 17.09.1961 on the file of the third respondent.

2. Heard the learned counsel appearing on either side and perused the materials available on record.

3. The petitioner is a member of Cuddalore Taluk Co-operative Housing Society, Cuddalore. He availed loan by mortgaging the original title deed registered vide document No.2458 of 1961 dated 17.09.1961. The mortgage deed was registered vide document No.678 of 1978. The petitioner had repaid the entire loan amount and the receipt was duly received by the petitioner vide document No.4158 of 2022, thereby the mortgage was redeemed. However, the original document, which was deposited to avail loan, has not been returned so far to the



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petitioner. Therefore, the petitioner submitted a representation and it is pending without consideration. Hence, this present writ petition.

4. The learned Additional Government Pleader appearing for the respondents submitted that the petitioner had repaid the entire loan amount and the receipt was also duly registered..

5. In view of the above, the respondents are directed to return the original sale deed registered vide document No.2458 of 1961 dated 17.09.1961, which was deposited by the petitioner while availing the loan, within a period of two weeks from the date of receipt of a copy of this order.

6. With the above direction, this writ petition stands allowed. No costs.

08.08.2024

Internet : Yes
Index : Yes/No
Speaking/Non-speaking order
Neutral Citation : Yes/No
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G.K.ILANTHIRAIYAN, J.

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To

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