



WEB COPY



W.P.No.23984 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.08.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.23984 of 2024

S.P.Velumani

..Petitioner

-Vs-

1.The Industries Commissioner and
Director of Industries and Commerce
SIDCO Corporate Office
Thitu.vi.ka.Industrial Estate
Guindy
Chennai – 600 032.

2.The General Manager
District Industries Centre
No.2, Raja Street
Coimbatore – 641 001.

... Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Mandamus directing the 2nd respondent to return the Original Title documents received by the 2nd respondent at the time of execution of the Mortgage Deed in Doc No.357 of 1967 dated 28.03.1967 based on petitioner representation dated 02.12.2023.

For Petitioner : Mr.A.Arun

For R1 : Mr.V.Manoharan
Additional Government Pleader.

ORDER



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This Writ Petition has been filed for a direction directing the second respondent to return the original document, which was received by the second respondent, at the time of executing the mortgage deed registered vide document No.357 of 1967 dated 28.03.1967.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the first respondent and perused the materials available on record.

3. The petitioner's father owned property comprised in Survey No.237/1 admeasuring 92 cents situated at Rasipalayam Village, Sulur Taluk, Coimbatore District, by a registered sale deed vide document No.892 of 1954. He died on 14.03.2006. While he was alive, the petitioner was serving as President of Subbarayampalayam Cumbly Weavers Industrial Co-operative Society. The said society borrowed loan from the second respondent for which the petitioner's father mortgaged the said property. After repayment of the said loan, the original document was not returned by the second respondent. After demise of the petitioner's father, the petitioner and his family members came to know about the mortgage and submitted a representation before the second respondent.



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4. In view of the above, the second respondent is directed to verify the loan availed by the petitioner's father and also the mortgage deed executed by him in respect of the subject property and if the entire amount has been repaid, the second respondent is directed to take appropriate steps to issue receipt for the completion of the loan and return the original document within a period of twelve weeks from the date of receipt of a copy of this order.

5. With the above direction, this writ petition stands disposed of.

No costs.

22.08.2024

Internet: Yes

Index : Yes/No

Speaking/Non Speaking order

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To

1.The Industries Commissioner and
Director of Industries and Commerce
SIDCO Corporate Office
Thitu.vi.ka.Industrial Estate
Guindy, Chennai – 600 032.

G.K.ILANTHIRAIYAN. J,

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2.The General Manager



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