



W.P(MD)No.1042 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.02.2024

CORAM

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P(MD)No.1042 of 2024

M.Indirani

..Petitioner

Vs

- 1.The General Manager,
Tamil Nadu Housing Board,
Chennai.
 - 2.The Assistant Registrar,
House Development,
Madurai Region,
Madurai.
 - 3.The Cooperative Sub Registrar / Liquidation Officer,
MDA/HSR-60, Usilampatti Taluk Cooperative
House Development Society,
O/o. The Assistant Registrar (House Development),
Madurai Regional Office, Madurai,
Revenue Divisional Officer,
Usilampatti, Madurai District.
 - 4.The Managing Director,
Tamil Nadu Cooperative Housing Federation Limited,
New No.48 (Old No.40), Ritherdon Road,
Vepery, Chennai – 600 007
- ..Respondents
- (R4 is impleaded vide order dated 07.02.2024 in
W.M.P.(MD)No.2739 of 2024 in W.P.(MD)No.
1042 of 2024 by VBSJ)*



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Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents herein to return the original documents on the basis of the communication of the 2nd respondent dated 14.09.2022 in Na.Ka.822/2020/Pa.Thoo within a stipulated time period in accordance with law on the basis of the representation dated 05.10.2023.

For Petitioner :Mr.C.Senthil Murugan

For Respondents :Mr.S.RA.Ramachandran,
Addl. Government Pleader for R2 & R3.
Mrs.Kanmani Annamalai,
Standing Counsel for R1 & R4.

ORDER

The petitioner has prayed for issuance of a Writ of Mandamus, directing the respondents herein to return the original documents on the basis of the communication of the 2nd respondent dated 14.09.2022 in Na.Ka.822/2020/Pa.Thoo within a stipulated time period in accordance with law on the basis of the representation dated 05.10.2023.

2.Heard Mr.C.Senthil Murugan, learned counsel appearing for the petitioner, Mr.S.RA.Ramachandran, learned Additional Government Pleader



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appearing for the respondents 2 and 3 and Ms.Kanmani Annamalai, learned counsel for the respondents 1 and 4.

3.The learned counsel for the petitioner submitted that the petitioner availed loan to the tune of Rs.30,052/- from the third respondent by giving the land in S.No.327/2B2A2 to an extent of 1090 Sq. Ft as collateral security. The third respondent society went into liquidation and liquidation officer was also appointed. The petitioner paid a sum of Rs.53,000/- towards full and final settlement of the loan in one time settlement. However, the document was not handed over to her. Hence, the petitioner sent several representations to the respondents and no action was taken thereon. The petitioner left with no other option filed the present writ petition.

4.The learned counsel for the respondents 1 and 4 submitted that the petitioner settled the loan and the document is with the fourth respondent. He further submitted that the petitioner's prayer will be considered and the document will be given to the petitioner as expeditiously as possible.

5.It is seen from the materials on record that the petitioner had paid the loan amount and it has been accepted by the authorities concerned. Hence,



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The fourth respondent is directed to send the document to the third respondent.

The third respondent in turn verify whether it is the petitioner who availed loan and after satisfaction, third respondent shall hand over the document to the petitioner. The third respondent after handing over document to the petitioner shall send a communication to the concerned registering authority to remove the collateral security entered in the revenue record. The concerned registering authority shall act on the same.

6.This writ petition is disposed of accordingly. No costs.

07.02.2024

NCC : Yes/No
Index : Yes/No
Internet :Yes/No
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To:-

- 1.The Assistant Registrar,
House Development,
Madurai Region,
Madurai.

- 2.The Cooperative Sub Registrar / Liquidation Officer,
MDA/HSR-60, Usilampatti Taluk Cooperative
House Development Society,
O/o. The Assistant Registrar (House Development),
Madurai Regional Office, Madurai,
Revenue Divisional Officer,
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V.BHAVANI SUBBAROYAN,J

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07.02.2024
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