



W.P (MD).No.29286 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.12.2024

CORAM

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

W.P (MD).No.29286 of 2024

Petchimuthu

... Petitioner

Vs.

1. The District Collector
Thoothukudi District,
Thoothukudi.

2. The Thashildar
Srivaikundam Taluk,
Thoothukudi District.

3. The Block Development Officer
Karungulam Block Development Office,
Seithunganallur,
Thoothukudi District.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 2nd and 3rd respondents to consider petitioner's representation dated 23.07.2024 and to issue no due certificate by accepting the arrear amount in agricultural loan registered in Volume No.701 page no.213 dated 20.04.1961 and in Volume No.701 page no.215 dated 20.04.1961 within the time frame to be fixed by this Court.

For Petitioner : Mr.S.Vishnuvardhan

For Respondents : Mr.S.Shanmugavel
Additional Government Pleader for R1-3



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ORDER

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This writ petition has been filed for a direction, directing the respondents to consider the representation submitted by the petitioner and to issue no objection certificate for payment of entire loan, which was borrowed by the petitioner's father.

2. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

3. The petitioner's father owned land comprised in S.No.63/4 to an extent of 0.89 cents, S.No.67/1, to an extent of 1.79 cents, S.No.67/2 to an extent of 1.79 cents in Chettimallanpatti vilalge, Srivaikundam Taluk, Thoothukudi District. While his father was alive, he mortgaged the said property and availed short-term loan under the head of Taccavi to the tune of Rs.500/- each by way of registered mortgage deeds in Volume No.701 page No. 213 and 215, dated 20.04.1961. Thereafter, he died and the entire property derived title by the petitioner along with other legal heirs. When the petitioner approached the second respondent to redeem the said mortgage, there is no proper answer. Therefore, the petitioner has made a representation before the first respondent to accept the mortgage amount and to issue no due certificate



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on 23.07.2024. Even then, the respondents did not take any further steps. That apart, the petitioner is ready and willing to repay the entire loan amount, which was borrowed by the petitioner's father.

4. In view of the above, the third respondent is directed to furnish loan balance amount in respect of the loan borrowed by the petitioner's father by mortgaging the subject property to the petitioner within a period of two weeks from the date of receipt of copy of this order. If the petitioner repaid the entire loan amount, the third respondent is directed to issue no due certificate in respect of the subject property.

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

No costs.

Internet : Yes
Index : Yes/No
NCC : Yes/No
LS

05.12.2024



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G.K.ILANTHIRAIYAN, J.

LS

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