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WP No. 14693 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-11-2025

CORAM

THE HONOURABLE MR JUSTICE M.DHANDAPANI

**WP No. 14693 of 2025
& WMP.Nos.16585 & 46952 of 2025**

K.Swarna
W/o Ganesan,
D/o Late C.D.N. Karunakaran,
No 11, Kamalam Garden, Seerathoppu,
Uraiyur, Trichy District

Petitioner(s)

Vs

1.The Deputy Registrar
(Administration III),
Indian Institute Of Technology Madras
Chennai 600 036.

2.K.Thilagam
3.C.D.N.Sivaji Subramaniyan

Respondent(s)

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned order passed by the 1st respondent herein in No.F.Admn.III/P3/HBA/2024/806 dated 17.12.2024 and quash the same as illegal and consequently direct the 1st respondent to handover the original title deeds and other documents submitted by petitioner's father C.D.N.Karunakaran at the time of availing of housing loan from the 1st respondent institution.

For Petitioner(s): Mr.E.V.Arunachalagiri

For Respondent(s): M/s.Karthik for R1
R2 - Notice dispensed with
R3 – No appearance

**ORDER**

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This writ petition is filed to call for the records pertaining to the impugned order passed by the 1st respondent herein in No.F.Admn.III/P3/HBA/2024/806 dated 17.12.2024 and quash the same as illegal and consequently direct the 1st respondent to handover the original title deeds and other documents submitted by petitioner's father C.D.N.Karunakaran at the time of availing of housing loan from the 1st respondent institution.

2.The case of the petitioner is that the petitioner and her sister Thilagam, the second respondent herein, are daughters of one Karunakaran and that he died on 23.08.2011. The petitioner's mother predeceased their father. The petitioner's father was employed with the first respondent and that he obtained a loan by mortgaging a certain property from the first respondent, that he settled the entire amount and thereafter, retired from service on 30.06.1998. Even after settlement of the entire amount, the first respondent did not return the original documents to the petitioner, thereby, the petitioner made a representation for releasing the original document and pursuant to which, the impugned order has been passed by the first respondent rejecting the request of the petitioner, since a class II legal heir of the deceased made an objection for releasing the original document. Challenging the same, the present writ petition has been filed with the above said prayer.



3.The learned counsel for the petitioner made a submission that the petitioner obtained a legal heir certificate immediately after the death of the petitioner's father on 31.07.2012. However, without any intimation to the petitioner, the class II legal heir, ie., the third respondent herein also obtained a legal heir certificate from the Tahsildar, Trichy on 01.04.2016. Challenging the same, the petitioner preferred an appeal before the Revenue Divisional Officer. The RDO by order dated 25.01.2022 cancelled the legal heir certificate issued in favour of the third respondent. Further, as on date, there is no restraint order either from the administrative authority or from the competent civil court, for furnishing the document to the petitioner and the second respondent. Therefore, the first respondent, withholding the document, is not sustainable. Hence, he prays for a direction to the first respondent to return the original title deeds and other documents as regards the property mortgaged, to the petitioner and the second respondent.

4.The learned counsel for the first respondent submits that the first respondent would conduct an enquiry by calling upon the petitioner and the respondents 2 and 3 and if there is no legal impediment either by way of an restraint order by any court or any administrative authority, the original documents will be released in favour of the petitioner and the second respondent, by driving the third respondent to approach the competent civil court for appropriate remedy, after collecting the necessary indemnity bond



from the petitioner and the second respondent, who are legal heirs of the deceased.

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5. Heard both sides and perused the materials available on record.

6. The second respondent, being the sister of the petitioner, the petitioner made an endorsement for dispensing with the appearance of the second respondent.

7. Though the name of the third respondent is printed in the cause-list, none appeared on behalf of the third respondent.

8. In view of the facts and circumstances of the case, there shall be a direction to the first respondent to conduct an enquiry by calling upon the petitioner and respondents 2 and 3 and any other interested party and if the legal heir certificate issued by the revenue authorities in favour of the petitioner and the second respondent is found to be genuine and if there is no restraint order either by the administrative authority or by the civil court for furnishing the original document to the petitioner and the second respondent, the original title deeds as regards the property mortgaged by the petitioner's father be released to the petitioner and the second respondent, by collecting the appropriate indemnity bond from them.



9.The writ petition is disposed of in the above terms. No costs.

Consequently, the connected miscellaneous petitions are closed.

10-11-2025

Tsg

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

To

The Deputy Registrar
(administration Iii), Indian Institute Of
Technology Madras Chennai 36



WEB COPY

WP No. 14693 of 2025



M.DHANDAPANI J.
Tsg

WP No. 14693 of 2025

10-11-2025