



IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 18.08.2025

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THE HONOURABLE **Mr.JUSTICE N. ANAND VENKATESH**

W.P.No.30528 of 2025

Mrs.Thanavathy Edward

.. Petitioner

.Vs.

1.The District Collector
Chennai District Collector Office
Rajaji Salai, 4th Floor
62 Beach Road
George Town
Chennai 600 001.

2.Forensics Director
Director I/c
Forensics Science Department
30-A, Kamarajar Salai
Mylapore
Chennai 600 004.

3.The Sub-Registrar Kodambakkam
Jawaharlal Nehru Salai
Jai Nagar, Arumbakkam
Chennai 600 026.

.. Respondents



PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st and 2nd respondents to cancel the Mortgage Deed No.1185/1983 dated 28.04.1983 on the file of the 3rd respondent and issue a receipt thereof and further direct the 3rd respondent to register the same.

For Petitioner : Mr.SP.Chockalingam
For Respondents : Mr.G.Velu
Additional Government Pleader for R1
: Mr.E.Veda Bagath Singh
Special Government Pleader for R2 & R3

ORDER

This writ petition has been filed for issue of writ of mandamus directing the 1st and 2nd respondents to cancel the Mortgage Deed No.1185/1983 dated 28.04.1983, registered on the file of the 3rd respondent and issue receipt.

2.The case of the petitioner is that her Late husband had availed housing loan from the 2nd respondent. The property was mortgaged as a security for the said loan with the 1st and 2nd respondents. This mortgage was registered as Document No.1185/1983 by Deed dated 28.04.1983. The further case of the



petitioner is that her husband has settled the entire loan at the time of his retirement. However, the 1st and 2nd respondent did not cancel the mortgage and issue a receipt confirming the repayment of the loan. The representation made in this regard also did not evoke any response. It is under these circumstances, the present writ petition has been filed before this Court.

3. When the matter was taken up for hearing, the learned Special Government Pleader produced the written instructions received from the 1st respondent. The relevant portions are extracted hereunder:

மேலும், மேற்படி தனியரின் அடமானப்பத்திரத்தினை ரத்து செய்து வழங்குவது தொடர்பாக கீழ்க்கண்ட விவரங்கள் அனுப்பி வைக்குமாறு கேட்டுக்கொள்கிறேன்.

- 1) 20 Column report with Head of Office Signature & Seal
- 2) 3 Certificates with Head of Office Signature & Seal
- 3) No Due Undertaking by the individual with 2 witnesses and with Head of Office Signature & Seal
- 4) Recommendation letter with Head of Office Signature & Seal
- 5) NOC Certificate with Head of Office Signature & Seal

திரு.எஸ்.குழந்தைவேலு என்பவருக்கு தனியரின் விருப்ப ஓய்வின் போது வீடு கட்ட முன்பணம் ரூ.1,05,000/- பெற்றது தொடர்பாக, வீடு கட்டும் முன்பணம் வழங்கும் அரசு விதிகளின் படி வீடு கட்ட முன்பணம் பெற்றவர் கடைசியாக ஓய்வு பெறும் அலுவலகத்திலிருந்து மட்டுமே ஆவணங்களை விடுவிப்பது தொடர்பாக அசல் மற்றும் வட்டித் தொகை முழுவதும் செலுத்திவிட்டார் என்றும், நிலுவை ஏதுமில்லை என்றும், அசல் ஆவணங்களை விடுவிக்க தடையேதும் இல்லை என்றும் அளிக்கவேண்டும் என்று



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தெரிவிக்கப்பட்டுள்ளதற்கிணங்க, மேற்படியுள்ள படிவங்களை பூர்த்தி செய்து அளிக்கும் பட்சத்தில் மட்டுமே மேற்படி மனுதாரரின் அசல் ஆவணங்கள் விடுவிக்க இயலும்.

4.It is clear from the above that the 1st respondent requires certain documents to be produced and the necessary procedure to be completed in order to cancel the mortgage and to issue the receipt. In view of the above, the petitioner is directed to complete the necessary formalities and produce the necessary documents and the entire process shall be completed by the 1st respondent, within a period of four weeks from the date of receipt of copy of this order.

5.This writ petition is disposed of with the above directions. No Costs.

18.08.2025

Index : Yes/No

Neutral Citation : Yes/No

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