



W.P.(MD).No.5264 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 18.03.2025

CORAM:

THE HONOURABLE **MR.JUSTICE VIVEK KUMAR SINGH**

W.P.(MD)No.5264 of 2025

J.Rajadurai

... Petitioner

-VS-

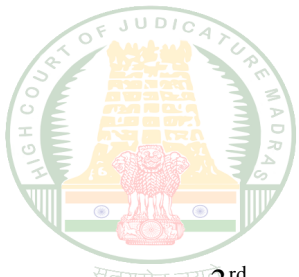
1.The Chief Engineer,
Tamil Nadu Generation and
Distribution Corporation (TANGEDCO),
Annasalai,
Chennai.

2.The Superintending Engineer,
The Tamil Nadu Generation and
Distribution Corporation (TANGEDCO),
Pudukkottai District.

3.The Sub Registrar,
Vilangudi,
Madurai District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the 2nd respondent to issue the Discharge Receipt for the discharge of mortgage loan obtained by the petitioner's father vide mortgage deed dated 05.06.1986 registered as Doc No. 1930/1986 on the file of jurisdictional Sub Registrar *qua* the land comprised in S.No.60/3, Plot No.62, Srinagar, Tirupalai, Madurai District and consequentially to direct the



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3rd respondent to made necessary entries in the Encumbrance Certificate qua the discharge of the said mortgage deed *qua* the said land.

For Petitioner : Mr.H.Jasima Yasmin

For Respondents : Mr.K.S.Selva Ganesan

Addl. Govt. Pleader (R3)

Mr.S.Deenadhayan,

Standing Counsel (R1 & R2)

ORDER

This writ petition has been filed seeking a direction to the 2nd respondent to issue the Discharge Receipt for the discharge of mortgage loan obtained by the petitioner's father vide mortgage deed dated 05.06.1986 registered as Doc No. 1930/1986 on the file of jurisdictional Sub Registrar *qua* the land comprised in S.No.60/3, Plot No.62, Srinagar, Tirupalai, Madurai District and consequentially to direct the 3rd respondent to made necessary entries in the Encumbrance Certificate *qua* the discharge of the said mortgage deed *qua* the said land.

2. It is the case of the petitioner that though the loan has been fully settled by the petitioner's father, the mortgage deed executed between the petitioner and TANGEDCO is still reflected in the encumbrance certificate.



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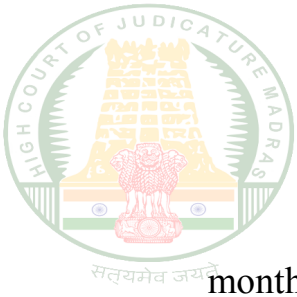
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Therefore, the petitioner made a representation to the second respondent dated 06.01.2025, with regard to issuance of discharge receipt for the discharge of mortgage loan. Since the said representation was not considered, the petitioner has filed the present Writ Petition.

3. Heard the learned counsel on either side.

4. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon him to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-consideration of the representation by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of the Constitution of India and direct them to consider the same within a stipulated time.

5. In the light of the above observations, there shall be a direction to the second respondent to consider the petitioner's representations dated 06.01.2025, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner within a period of one



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months from the date of receipt of a copy of this order. It is also made clear that this Court has not expressed any of its views with regard to the merits of the matter and that it is open to the respondents to consider the same on its own merits.

6. With the above observations and directions, the Writ Petition stands disposed of. There shall be no order as to costs.

18.03.2025

NCC : Yes/No
Index : Yes / No
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VIVEK KUMAR SINGH, J.

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Order made in
W.P.(MD)No.5264 of 2025

Dated:
18.03.2025