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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Civil Appellate Jurisdiction

Friday, the Eleventh day of July Two Thousand and Twenty Five

PRESENT

The HONOURABLE MR. JUSTICE P.B. BALAJI

WMP(MD). No.11182 of 2025
in
WP(MD).No. 3638 of 2025

1.The Managing Director
Tamil Nadu Water Supply and Drainage Board
No.31 Kamarajar Salai
Chepauk Chennai 600 005.

2.The Chief Engineer,
Tamil Nadu Water Supply and Drainage Board
No.1/1,Sambakulam ,Ganesh Nagar,
Opp. M.G.R.Bus Stand,
Madurai -07.

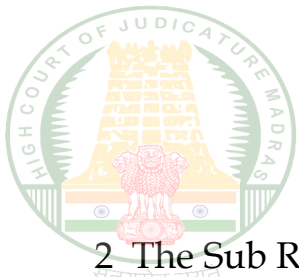
3.The Superintending Engineer,
Tamil Nadu Water Supply and Drainage Board
Sivagangai- Ramanad & Project Circle,
Sivagangai.

... Petitioner/Respondents 1 to 3

Vs.

1 S.M.Mohan Babu
Superintending Engineer (Retired from Service)
S/o.Mahadevan
Plot No.39/137 Sri Meenakshi Avenue, Kamarajar Sali ,
Madurai - 09.

.... 1st Respondent /Petitioner



2 The Sub Registrar
Sub Registrar Office
Thallakulam Madurai District.

... 2nd Respondent / 4th Respondent

3 The Sub Registrar
Sub Registrar Office
Chokkikulam Madurai District

... 3rd Respondent / 5th Respondent

4 The Sub Registrar
Sub Registrar Office
Pothumbu Madurai District.

... 4th Respondent / 6th Respondent

Prayer in WMP(MD)No.11182 of 2025: :-

Writ Miscellaneous Petition is filed under Article 226 of the Constitution of India, to modify the order dated 10.02.2025 made in W.P.(MD) No. 3638 of 2025 and thus render justice

Prayer in WP(MD). 3638/ 2025 :

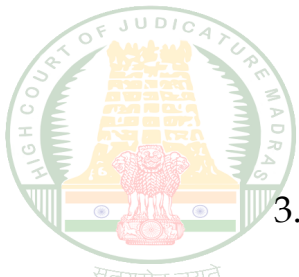
Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ or direction or any other writ in the nature of Writ of Mandamus directing the respondents No.2 and 3 to reconvey the property of the petitioner by cancelling the mortgage deed bearing Doc.No.114/1985 dated 11.01.1985 registered on the file of the 4th respondent (now lying with the 6th respondent) and hand over the original deeds to the petitioner within a reasonable time framed by this Honourable Court



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This Petition coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.B.Vijay Karthikeyan, Advocate for the Petitioners and of Mr.P.R.Prithiviraj advocate for the 1st Respondent and of Mr.S.Vinodh, Government Advocate for the 2nd to 4th respondents, this Court made the following order:

Heard the learned counsel for the parties. The learned counsel for the petitioners/respondents 1 to 3 in the writ petition seeks modification of the order dated 10.02.2025, regarding the handing over of the original title deed to this writ petitioner upon execution of the cancellation deed.

2. The learned counsel would state that the cancellation deed has not been executed. However, the original title deed is not available in the office concerned and despite diligent efforts taken, the original is not traceable. It is also stated that a loan has been obtained by the writ petitioner from the headquarters at Chennai and it is not not known whether the document is misplaced at Chennai or at Madurai. In view of the non-availability of the original document, the present application has been taken out to modify the order, with regard to the portion requiring the respondents i.e., the petitioners herein to hand over the original title deed.



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3. The learned counsel for the petitioner would state that in the event of the original sale deed not being available, then the stand of the present review petitioners/respondents in the writ petition may be recorded and the certified copy that has been procured by the writ petitioners can be treated as the original, for all future and practical purposes.

4. Considering the above, I am inclined to modify the order in the writ petition dated 10.02.2025. The last sentence at paragraph No.5 shall stand deleted and instead the following portion is added:

In view of the non availability of the original title deeds, the certified copies that have been handed over to the writ petitioner shall be treated as the originals for all future and practical purposes.

5. With the above modification, this Writ miscellaneous petition is ordered.

Sd/-

Assistant Registrar(CS II)

// True Copy //

/ /2025

Sub Assistant Registrar
(CS- I/ II / III / IV)



TO

1.The Managing Director
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4. The Sub Registrar,
Sub Registrar Office,
Thallakulam, Madurai District.

5. The Sub Registrar,
Sub Registrar Office,
Chokkikulam, Madurai District.

6. The Sub Registrar,
Sub Registrar Office,
Pothumbu, Madurai District.

+1cc to Mr.P.R.Prithiviraj Advocate S.R.No.43054

ORDER DATED : 11/07/2025

ORDER

WMP(MD). No.11182 of 2025
in
WP(MD).No. 3638 of 2025
Giving direction and etc.
as stated within.

MGJ (29.07.2025) 5P/ 8C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023