

W.P (MD).No.16365 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.01.2025

CORAM

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

W.P (MD).No.16365 of 2022

Tmt.Shunmugam

...Petitioner

Vs.

1.The District Collector,
Tirunelveli District,
Kokkirakulam,
Tirunelveli-627 009.

2.The Joint Commissioner,
H.R.C.E.Department,
Palayamkottai,
Tirunelveli-627 020.

3.The Executive Engineer,
Tamil Nadu Housing Board,
Tirunelveli Housing Division,
Anbu Nagar,
Tirunelveli.

...Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the first respondent to provide NOC and to return the original deeds relating to the petitioner's husband's house having address at MIG 77, TNHB colony, Perumalpuram, Tirunelveli based on the petitioner's representation dated 15.09.2021 within the time frame fixed by this Court.



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For Petitioner : Mr.T.Selvan

For Respondents : Mr.D.Gandhi Raj
Special Government Pleader

ORDER

This writ petition has been filed for a direction directing the first respondent to issue No Objection Certificate and also to return the original deeds relating to the petitioner's husband's house property situated at MIG 77, TNHB colony, Perumalpuram, Tirunelveli.

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

3. The petitioner's husband was retired as Superintendent. During the service, he has purchased a house from the Tamil Nadu Housing Board by the allotment order dated 04.08.1987. In order to purchase the said house, he availed loan from the second respondent to the tune of Rs.80,280/-. Thereafter, the entire loan amount has been paid and the entire loan was closed. The second respondent also issued No Objection Certificate and No Due Certificate to the first respondent on 21.12.2024, so that enable the petitioner's husband to register the sale deed, however, on receipt of the same, the first respondent



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failed to issue No Objection Certificate and also not return the original deeds relating to the house, which was purchased by the petitioner's husband.

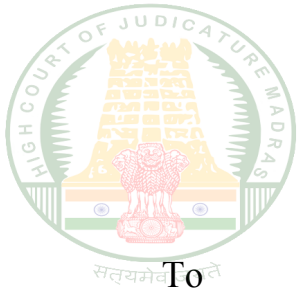
4. The learned Special Government Pleader appearing for the respondents, on instructions, would submit that the petitioner was informed to produce certain documents such as No Objection Certificate. Even after furnishing of certificates by the second respondent, the first respondent failed to issue the No Objection Certificate.

5. In view of the above, the first respondent is directed to issue No Objection Certificate and also return all the documents, which were mortgaged while availing loan, to the petitioner within a period of four weeks from the date of receipt of a copy of this order. On receipt of the same, the third respondent is directed to register the sale deed in favour of the petitioner in respect of the subject property.

6. With the above direction, the writ petition is disposed of. No costs.

Internet : Yes
Index : Yes/No
Speaking/Non Speaking order
am

10.01.2025



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To

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G.K.ILANTHIRAIYAN, J.

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