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W.P.(MD)NO.33968 OF 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.11.2025

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.33968 of 2025

1. K.Arunachalam
2. R.Mithunthomas

... Petitioners

Vs.

1. The District Registrar,
Tirunelveli District.
2. The Sub Registrar,
Melapalayam Sub Registrar Office,
Tirunelveli District.
3. The Secretary,
T.T.74, Tirunelveli Co-operative Agricultural and Rural
Development Bank Ltd.,
Tirunelveli District.

... Respondent

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the second respondent to register the discharge certificate dated 22.04.2025 for the loan obtained by the petitioner's predecessor in title vide mortgage deed in Doc.No.690 of 1988 dated 16.03.1998 qua the land in S.Nos.428/5, 429/1, 429/2, 429/3, 428/4, 428/1B and 428/2 situated at Sengulam Village, Melapalayam, Palayamkottai, Tirunelveli District.



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For Petitioner : Mr.A.Mohamed Aqil,
for M/s.Ajmal Associates.

For Respondents : Mr.S.Shanmugavel,
Additional Government Pleader.
* * *

ORDER

Heard the learned counsel appearing for the writ petitioner and the learned Additional Government Pleader appearing for respondents 1 and 2.

2. The petitioners purchased the petition-mentioned lands in the year 2025 from one Chandra. The said Chandra had in turn purchased the lands from one Yosova Devadasan vide sale deed dated 05.05.1995. The petitioners came to know that Chandra's vendor had mortgaged the property in the year 1988. It appears that the mortgage loan availed by Chandra's vendor had been waived following some Government announcement. The resultant effect is that there is no subsisting mortgage dues. In fact, the third respondent had issued discharge certificate to that effect. The case of the writ petitioner is that the second respondent is declining to register the document. The learned Additional Government Pleader



states that the petitioner never presented the document.

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3. I need not go into the controversy. The petitioner is permitted to present the discharge certificate dated 22.04.2025 issued by the third respondent before the second respondent and it shall be registered without insisting on the presence of the third respondent. This writ petition stands allowed accordingly. No costs.

26.11.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
PMU

To:

1. The District Registrar,
Tirunelveli District.
2. The Sub Registrar,
Melapalayam Sub Registrar Office,
Tirunelveli District.



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G.R.SWAMINATHAN,J.

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