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W.P.No.22584 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.01.2026

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THE HONOURABLE Mr.JUSTICE C.KUMARAPPAN

**W.P.No.22584 of 2015**

G.Sudarsanam

... Petitioner

Vs.

1. The District Collector,  
Vellore District,  
Collectorate Buildings,  
Vellore – 632009.

2. The Superintendent of Police,  
Vellore District,  
District Police Office,  
Vellore – 632009.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to first respondent order/communication in Na.Ka.A4.26466/11 dated 06.01.2012 informing the petitioner to pay Rs.7380/- towards interest dues and 1% FBF Rs.1335/- for cancellation of mortgage and release of documents and quash the same and direct the first respondent to execute cancellation of mortgage deed and return of all property documents in his custody to the petitioner.

For Petitioner

: Mr.S.Pushpakaran



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For Respondents

: Mr.U.M.Ravichandran,  
Special Government Pleader  
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## **ORDER**

The present Writ Petition has been filed seeking issuance of a Writ of Certiorarified Mandamus, calling for the records pertaining to the order/communication of the first respondent in Na.Ka.A4.26466/11 dated 06.01.2012, whereby the petitioner was informed to pay a sum of Rs.7,380/- towards interest dues and 1% FBF amounting to Rs.1,335/- for cancellation of mortgage and release of documents, and to quash the same.

2.Heard the learned counsel for both sides and perused the materials available on record.

3.The main contention put forth by the learned counsel for the petitioner is that even as per the letter issued by the second respondent, there are no dues payable to the first respondent. Therefore, according to the learned counsel, the impugned communication is liable to be quashed and a consequential direction is to be issued to the first respondent to return the documents.



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4.Per contra, the learned Special Government Pleader appearing for the respondents stoutly opposed the said contention and would submit that, as per the records of the first respondent, the petitioner is liable to pay a sum of Rs.7,380/- towards interest dues and 1% FBF amounting to Rs.1,335/- for cancellation of mortgage and release of documents. It is the further submission of the learned Special Government Pleader that the issue involves disputed questions of fact, which cannot be adjudicated in writ proceedings and would require adjudication in a trial-oriented forum.

5.I have given my anxious consideration to either side submissions.

6.The learned counsel for the petitioner placed strong reliance on the letter issued by the second respondent. However, the said information, issued by the second respondent, cannot bind the first respondent/District Collector. When the first respondent has raised a specific demand disputing the claim of “no dues” and has sought payment of Rs.7,380/- towards interest dues and 1% FBF amounting to Rs.1,335/- for cancellation of mortgage and release of documents, the same gives rise to a disputed question of fact. If at all the petitioner has any grievance with regard to the said demand, the appropriate remedy would be to approach the competent Civil Court for appropriate



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relief. Such disputed questions of fact cannot be gone into in exercise of jurisdiction under Article 226 of the Constitution of India.

7. In view of the above, this Court does not find any merit in the present Writ Petition and the same is liable to be dismissed. Accordingly, this Writ Petition is dismissed. No costs.

**23.01.2026**

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Index : Yes

Speaking order

Neutral Citation : Yes

To

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**C.KUMARAPPAN, J.**

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