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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.04.2026

CORAM

THE HON'BLE MR.JUSTICE HEMANT CHANDANGOUDAR

W.P.(MD)No.11218 of 2026

S.Soundra Pandian

.. Petitioner

- Vs. -

1. The Secretary,
M.D.A.H.S.G.124,
Madurai District All Cooperative Societies Workers and Public Service
Cooperative Housing Society Ltd,
Arasaradi,
Madurai – 62.
2. The Deputy Registrar (Housing),
5-A, Beasant Road,
Ramamoorthy Road,
Chokkikulam,
Madurai - 625002
3. The Managing Director,
Tamil Nadu Cooperative Housing Federation,
48, Rithertont Road,
Veppary,
Chennai.

.. Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of MANDAMUS directing the



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Respondents to return the petitioner's original sale deed dated 25.10.2006 vide in Document No. 2980/2006 registered in Arasaradi SRO, within the time stipulated by this Court.

For Petitioner : Mr.S.Senthil Sivaganesh
For Respondents : Mr.D.Sadiq Raja
Additional Government Pleader
for R1 and R2
: Mr.S.Kanmani Annamalai
for R3

ORDER

The petitioner is before this Court seeking for issuance of a writ of mandamus directing the respondents to return the petitioner's original sale deeds dated 25.10.2006 bearing Document No.2980/2006 registered at Arasaradi Sub Registrar Office.

2. The petitioner had availed loan of Rs.3,00,000/- by mortgaging the original sale deed. Thereafter, the petitioner repaid the entire loan amount and discharge certificate was issued on 10.05.2019. However, the original sale deed deposited by the petitioner has not been returned. Hence, the present writ petition has been filed.



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3. Mr.S.Kanmani Annamalai, learned counsel for the third respondent submitted that the third respondent provides financial assistance to the first respondent, who in turn disburse loan to its members. In the present case, the first respondent is giving a sum of Rs.12,93,359/- as of today. In such circumstances, the sale deed deposited by the petitioner with the first respondent cannot be returned unless the first respondent discharges the loan amount due to the third respondent.

4. In similar circumstances, a co-ordinate Bench of this Court in W.P(MD)No.5791 of 2024 dated 27.06.2024 directed the first respondent therein to release the sale deed to the petitioner while preserving the liberty of the first respondent to proceed against the society, which is the third respondent therein, in the manner known to law. The release of the sale deed cannot be denied to a borrower who has discharged the loan amount. The petitioner, having discharged the loan amount, is entitled to the release of the document, and withholding the same would be arbitrary.

5. Accordingly, this Writ Petition is allowed. The third respondent is directed to release the original sale deed to the petitioner within a period of four(4) weeks from the date of receipt of a copy of this order, while



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preserving liberty of the third respondent to proceed against the first respondent, in accordance with law.

6. There shall be no order as to costs.

20.04.2026

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

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HEMANT CHANDANGOUDAR, J.

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