न्यायालय मुख्य आयुक्त
COURT OF CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)
दिव्यांगजन सशक्तिकरण विभाग / **Department of Empowerment of Persons with Disabilities (Divyangjan)**
सामाजिक न्याय और अधिकारिता मंत्रालय / **Ministry of Social Justice and Empowerment**
भारत सरकार/ **Government of India**

Case No. CCPD/16525/1143/26 **Dated:** 21/09/2026

Case No: CCPD/16525/1143/26

To,

1. The Chairman / Managing Director,

   Tamil Nadu Grama Bank, Head Office
2. The Chairman / Managing Director,

   Indian Bank, Corporate Office

Sub: Record of Proceedings cum First Notice in the complaint filed by Ms. Alagulakshmi Kannan on behalf of her mother (80% Locomotor Disability) regarding non-return of property documents/mortgage release upon loan closure by Tamil Nadu Grama Bank.

Madam / Sir,

I am directed to enclose a copy of documents related to the complaint filed dated on 23-04-2026 Ms. Alagulakshmi Kannan, a person with 80%, Locomotor Disability on the above-mentioned subject, which is self-explanatory.

2. Whereas, a hearing was conducted on 05.02.2026, wherein the following parties/representatives were present:

Sl. No.	Name of the Parties / Representatives	On Behalf of
1.	Ms. Alagulakshmi Kannan	Complainant (representing her mother, Person with 80% Locomotor Disability)
2.	Shri Mani Subramanian, Chairman	Respondent No. 1 (Tamil Nadu Grama Bank)

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Sl. No.	Name of the Parties / Representatives	On Behalf of
3.	Shri V. Chandra Sagar, GM & Shri Gopakumar G.S., AGM	Respondent No. 2 (Indian Bank, Corporate Office)

2.1 And whereas, during the hearing, the Complainant submitted that her mother, a person with 80% locomotor disability, had availed a housing loan of ₹5 Lakhs in 2018 from Tamil Nadu Grama Bank (Peruthundu Branch). The Complainant alleged that despite settling and closing the loan, the bank failed to return the original property documents and subsequently claimed via email that no original documents had been submitted, contradicting the registered mortgage deed. The Complainant alleged loss of property documents, harassment, and mental agony caused to a person with benchmark disability owing to restricted mobility.

2.2 And whereas, Shri Mani Subramanian, Chairman, Tamil Nadu Grama Bank, submitted that the loan was granted against a registered mortgage deed (No. 273/2018, EC No. 476, Receipt No. 55 dated 25.01.2018). The bank contended that under standard procedure, registered mortgages are executed when certified/xerox copies are provided rather than original documents (where equitable mortgage applies). However, as a measure of relief and goodwill upon complete repayment, the bank has filed for cancellation of the charge/mortgage deed at the Sub-Registrar's Office (reflecting in the Encumbrance Certificate) and applied for a certified copy of the property documents to hand over to the Complainant.

2.3 And whereas, representatives from Indian Bank (Sponsor Bank) clarified the operational distinction between equitable mortgage (requiring deposit of original title deeds) and registered mortgage (executed with stamp duty when originals are not submitted).

2.4 And whereas, upon hearing both sides, the Court directed that as an immediate first relief, the Respondent Bank shall complete the formal discharge of the mortgage, obtain the certified document copy, and deliver all relevant papers directly to the doorstep of the Complainant (considering her benchmark disability and limited mobility) within **five (5) days, i.e., on or before 11th February 2026**, along with proof of receipt/acknowledgement.

2.5 And whereas, regarding the Complainant's assertion that original documents were indeed handed over to the bank, the Court observed that if the Complainant submits tangible documentary proof showing receipt/acknowledgement of original documents by the bank, the matter regarding lost original title deeds

shall be registered and tried as a separate case file.

2. Whereas Section 3 of the Rights of Persons with Disabilities Act, 2016 hereinafter referred to as "the Act" provides as under:

"6. *(1) The appropriate Government shall ensure that the persons with disabilities enjoy the right to equality, life with dignity and respect for his or her integrity equally with others.*

(2) The appropriate Government shall take steps to utilise the capacity of persons with disabilities by providing appropriate environment.

(3) No person with disability shall be discriminated on the ground of disability, unless it is shown that the impugned act or omission is a proportionate means of achieving a legitimate aim.

(4) No person shall be deprived of his or her personal liberty only on the ground of disability.

(5) The appropriate Government shall take necessary steps to ensure reasonable accommodation for persons with disabilities."

3. And whereas Section 21 of the Act, mandates that every establishment shall notify Equal Opportunity Policy and shall register a copy of the same with the Chief Commissioner.

4. And whereas Section 23 of the Act makes it mandatory for every government establishment to appoint a Grievance Redressal Officer and to inform the Chief Commissioner about such appointment.

5. And whereas Section 75(1) (a) and (b) of the Act mandates the Chief Commissioner for Persons with Disabilities to identify, *suo motu* or otherwise, the provisions of any law or policy, programme and procedures, which are inconsistent with this Act and recommend necessary corrective steps and to look into complaints *inter-alia*, concerning matters relating to deprivation of rights of persons with disabilities either on his own motion or on the application of any aggrieved person or otherwise.

6. And therefore, you are hereby advised to forward your compliance report along with comments on the Complaint on an affidavit signed by an officer of an appropriate seniority not below the level of Group 'A' officer, producing all requisite proof of doorstep delivery of mortgage discharge documents to the Complainant, as well as action taken in compliance with statutory provisions as mentioned at paras 4 & 5 above, to this Court within **07 days** from the date of issue of this communication. **While**

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responding to this notice due care may be taken of relevant provisions of the Act, other statutory provisions, and government instructions including but not limited to sections 20 (5) & 21 of the Act read with Rule 8 (3) (c) of the RPwD Rules, 2017 and DoPT OM No. 36035/44/2023-Estt. (Res-II) dated 02.02.2024.

7. A copy of your reply/compliance report should also be served to the Complainant **via email and by post and the proof of service be submitted to this Court along with your Reply**. You may also provide additional inputs, relevant to the case, if desired. However, it is to be informed that in case any statutory provision, any judgment of a High Court or the Supreme Court, rules formulated under any statute, Office Memorandum, or bye-law is relied upon, you shall attach a copy of the same along with your compliance report/comments on the Complaint. The Complainant may file her rejoinder/proof of original document submission, if any, to this Court within **03 days** of receipt of the Respondent's compliance report with a copy to the Respondent(s).

Yours faithfully,



(VIKAS TRIVEDI)
Dy. Chief Commissioner