

PROCEDURE FOR RETURN OF ORIGINAL MOVABLE/IMMOVABLE PROPERTY DOCUMENTS TO LEGAL HEIRS

On repayment of the debt backed by mortgage, mortgager is entitled to redeem the mortgage and take back the title documents deposited by him. There may be situations wherein, mortgager passes away during subsistence of loan dues or before taking back the title documents deposited by him. Under such circumstances, the procedure to be followed for returning title documents to the legal heirs of the deceased mortgager is enumerated below. The title documents will be returned to the legal heirs of the mortgagor only after ensuring that deceased mortgager was not directly or indirectly liable to the Company under any other account and on obtaining their signatures in due records.

On full repayment/settlement (payment of OTS amount) of the loan account all the legal heirs of the deceased mortgager should jointly request for returning title documents deposited by the mortgager. Such request shall be accompanied by documents such as :

- (i) Death certificate of the mortgager,
- (ii) Legal heirship certificate issued by the competent Authority/succession Certificate issued by the Competent Court/such other document acceptable to the Company confirming legal heirship,
- (iii) Identity proof of all legal heirs,
- (iv) Such other documents may be specified by the Company depending on the circumstances.

Based on the satisfactory production of the documents submitted by the legal heirs, the Company will decide on returning of title documents or otherwise. Title documents will be returned against Acknowledgement by all the legal heirs jointly for having received the title documents.

However, above procedure is -

- (i) without prejudice to the Company's option to exercise its Right of General Lien;
- (ii) subject to availability of documents in the custody of the Company i.e., non-availability of the title documents with the Company on account of furnishing to the Court, Tribunal, other Law Enforcement Agencies, etc.

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