

Revocation of mortgage document



A mortgage deed is an official document that is prepared in the notary public office, according to which the mortgagor or debtor mortgages his property as collateral for his debt to the mortgagor or creditor. If the mortgage deed is not legally prepared, the interested party can file a petition to the court to revoke the mortgage deed.

Sometimes it is possible for a person to mortgage another property as his property to another person (real or legal), after the owner realizes that his property is mortgaged, he can file a petition to cancel the mortgage deed.

Litigation parties:

In a lawsuit for the annulment of a mortgage deed, the plaintiff is the owner of the property or the person who has been harmed by the mortgage of the property and the defendant

is the mortgagor and the mortgagor.

Competent reference for consideration:

The competent court to file a lawsuit for the annulment of a mortgage is the court in whose jurisdiction the immovable property is located.

How to run the vote:

After issuing a verdict on the annulment of the mortgage deed and finalizing it, the court issues a certificate of final verdict and by submitting a final verdict from the judicial authority to the Property and Deeds Registration Office and the request of the beneficiary, the head of the registry office examines the matter and proceeds to the office.

After reviewing the matter, the real estate clerk explains the revocation of the mortgage deed in the relevant column of the relevant real estate office. In the draft of the new ownership document, in addition to stating the full details of the new owner, the registration file process and how to cancel the mortgage document, and the number and date of the cancellation document must be written in detail.

Important points about a mortgage cancellation lawsuit:

A person who claims ownership of a property under an ordinary affidavit and does not have an official document will not be recognized as an owner in court and cannot file a petition for the revocation of the mortgage document, but must first file a petition requiring the preparation of an official document.

At the same time or before the petition for annulment of the official document, as the case may be, the court should be asked to confirm the invalidity of the mortgage contract, because the annulment of the mortgage document is a subset of the annulment of the mortgage contract.

Sometimes it is possible to file a petition for the revocation

of an official document at the same time as a petition for seizure and enforcement of the subject of the mortgage deed. In such a case, the petition for revocation of the mortgage deed will be considered first in the court where the property is located, and after the issuance of a final ruling on the revocation of the deed, the request for seizure and revocation of the executive will be considered.