

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.02.2015

CORAM:

THE HONOURABLE MR. JUSTICE SATISH K. AGNIHOTRI
AND
THE HONOURABLE MR. JUSTICE M. VENUGOPAL

W.P.No.1091 of 2015

ASREC (INDIA) LTD,
Rep. by its Authorized Officer
S. Parthasarathy, No.3 III Floor,
Wllington Estate, 53 Ethiraj Salai,
Egmore Chennai-8.

.. Petitioner

Vs

- 1 The District Collector
Cum District Magistrate,
Tiruvallur District.
- 2 M/s.Sri JMJ Cottage Industries,
Rep. by its Proprietor Mr.D.Prasad,
No.11 Kadambadi Amman Koil Street,
Valasaravakkam,
Chennai-87.
- 3 Hairoonthai Public School
Rep. by its Principal,
No.25 Plot No.11
Venkatachalapathy Nagar, Alapakkam,
Chennai- 16
- 4 S.Sampath
No.1210 Bobbli Raja Road, K.K.Nagar,
Chennai-78.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for a writ of mandamus directing the 1st respondent to immediately pass orders in the application filed under Section 14 which has been placed before him for orders and consequently hand over physical possession of the property to this petitioner, who can thereafter hand aover possession to the 4th respondent.

For petitioner :: Mr. V. Karthik
for M/s. Ananda Gomathy

For respondent :: Mr. N. Sakthivel
Govt. Advocate - R1
No Appearance - R2 to R4

ORDER

(Order of the Court was made by SATISH K. AGNIHOTRI, J.)

The grievance of the petitioner is that the petitioner had filed an application under the provisions of Section 14 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (for short "SARFAESI Act") on 13.10.2014, seeking assistance of the respondent for taking over possession of the secured asset in furtherance of exercise under Section 13(4) of the SARFAESI Act. The authority has not taken any step so far when the object of the said provisions is to extend assistance to secure the possession of the secured asset at the earliest.

2. The learned counsel appearing for the first respondent submits that a direction to that effect may be passed.

3. Accordingly, we direct the first respondent to take up the matter and decide the same in accordance with law and on its own merits as expeditiously as possible preferably within a period of eight weeks from the date of receipt of a copy of this order.

4. The writ petition is disposed of, accordingly. No costs.

ra

-s/d-
Deputy Registrar(J)
Dt:9/2/2015

True Copy

Sub-Assistant Registrar

To

The District Collector
Cum District Magistrate,
Tiruvallur District.

+ 1 cc to Mr.Ananda Gomathi, Advocate SR 6233

+ 1 cc to Govt.Pleader SR 6127

rk(co)
prk12/2

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