

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.04.2015

CORAM:

THE HON'BLE MR.JUSTICE SATISH K. AGNIHOTRI
AND
THE HON'BLE MR.JUSTICE M.VENUGOPAL

W.P. No.11335 of 2015

T. Govindasamy

Petitioner

vs.

1 The District Magistrate/District Collector
Kancheepuram
Kancheepuram District

2 The Authorised Officer
Assistant General Manager
Indian Bank
Adyar Branch
91, First Main Road
Gandhi Nagar
Adyar, Chennai 600 020

3 KKAN Exporters
represented by its Partner
G. Vijayamani
11-A, Nellukkara Street
Kancheepuram 631 502
Kancheepuram District

4 T.L. Chitra

Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the first respondent to pass an order on the petition dated 13.04.2014 filed by the second respondent under Section 14 of the SARFAESI Act, 2002, to take possession of the subject matter property measuring 2381.5 sq. ft., bearing T.S. No.1771, New S.No.1771/2B at Nellukkara Street, (Annai Indira Gandhi Road), Kancheepuram, with the help of police aid and to hand over the physical possession to the petitioner by considering his representation dated 30.03.2015.

For petitioner Mr. Prabakaran
for Mr. N. Manokaran
For R1 Mr. P.S. Sivashanmugasundaram
Special Government Pleader

ORDER

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

Mr. P.S. Sivashanmugasundaram, learned Special Government Pleader, takes notice for the first respondent.

2 The auction purchaser of the property measuring 2,381.5 sq. ft., bearing T.S. No.1771, New S.No.1771/2B at Nellukkara Street, (Annai Indira Gandhi Road), Kancheepuram, has come up with the instant writ petition, seeking a writ of mandamus directing the first respondent-District Magistrate/Collector, to pass an order on the petition dated 13.04.2014 filed by the second respondent-bank under Section 14 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002, to take possession of the property in question, with the help of police aid and to hand over the physical possession of the same to the petitioner, by considering his representation dated 30.03.2015.

3 We have heard the learned counsel for the petitioner and also perused carefully the documents available on record.

4 We are of the considered view that this writ petition is not maintainable, at this stage and the same is accordingly dismissed as not maintainable. However, the petitioner is at liberty to file an appropriate application, if so advised, before the first respondent-District Magistrate/District Collector, Kanchipuram. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

cad

सत्यमेव जयते

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To

1 The District Magistrate/District Collector
Kancheepuram
Kancheepuram District

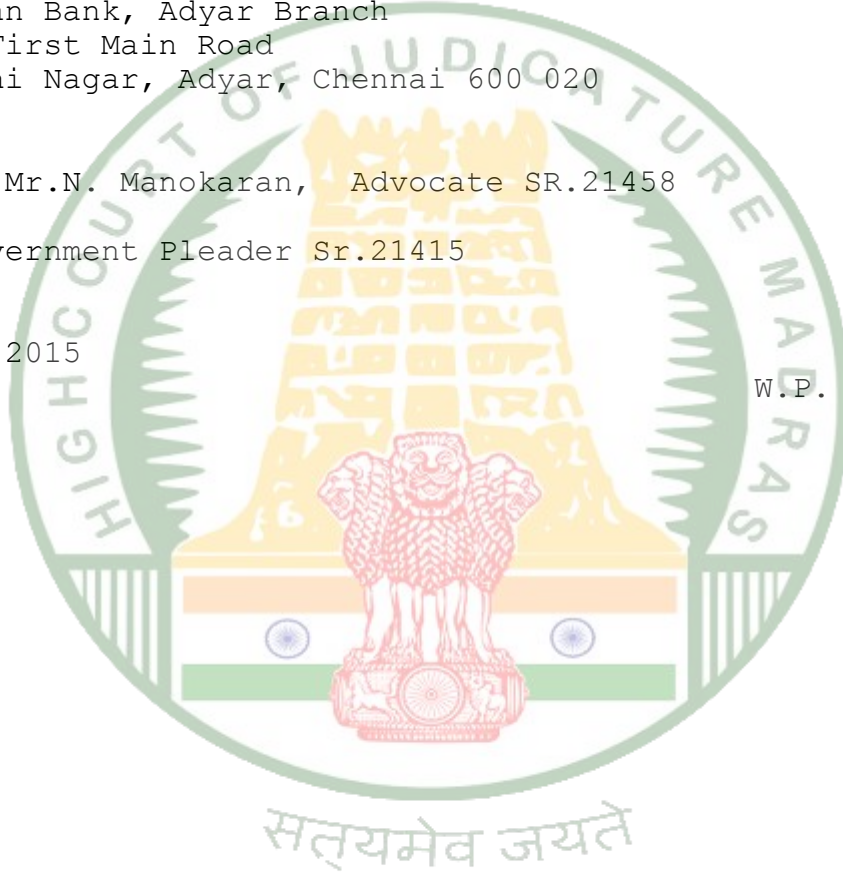
2 The Authorised Officer
Assistant General Manager
Indian Bank, Adyar Branch
91, First Main Road
Gandhi Nagar, Adyar, Chennai 600 020

+ 1 cc to Mr.N. Manokaran, Advocate SR.21458

+ 1 cc Government Pleader Sr.21415

TEJ(CO)
EU 29 .04.2015

W.P. No.11335 of 2015



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