

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.12.2015

CORAM:

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

THE HON'BLE DR.JUSTICE P. DEVADASS

W.P. No.34784 of 2015

Dr. M. Rajan

Petitioner

vs.

1 The District Collector
Collectorate
Erode District.

2 State Bank of India,
Authorised Officer,
Chief Manager,
Gobichettipalayam Branch,
Erode District.

3 M/s Greenbay Food Products Private Limited,
61/2, Vaikkal Thottam,
Kaliyankadu,
T.N. Palayam,
Gobichettipalayam Taluk,
Erode District.

4 K.M. Magudeswaran

Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the Respondents 1 and 2 to hand over the physical possession of the property situated in Old S.F.No. 349 R.S.F. No. 395/3A (New Sub-Division No. 395/3A3) Old Door No. 22A & 22B New Door No. 104 & 105 in Santhipalayam Village Gobichettiapalayam admeasuring an extent of 1886 Sq.Ft of Land with Building as per the sale certificate dated 07.10.2014 by appreciating the above stated facts.

For petitioner Mr. Ezhilarasan for
 Mr. M. Guruprasad

For respondents Mr. P.S. Sivashanmugasundaram
 Special Government Pleader -R1
 Mr. S. Sethuraman - R2

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ORDER

(delivered by SATISH K. AGNIHOTRI, J.)

With the consent of the learned counsel for the parties, this writ petition is taken up for final disposal.

2 The crux of the issue involved in the instant writ petition is that the respondent Bank has initiated steps under the provisions of Section 14 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (for short "the SARFEASI Act") for recovery of the property in question, which has been purchased by the petitioner, the auction purchaser. Thus, a direction be issued to the District Collector as well as the State Bank of India to expedite the hearing as the application is filed on 23 May 2014.

3 The aforestated application was filed by the State Bank of India. It is for the State Bank of India to take steps for expeditious disposal of the said application.

4 The learned counsel appearing for the second respondent-Bank, who is present in Court, submits that if the application is not yet disposed of, the Bank will take necessary steps for expeditious disposal of the said application.

5 In view of the above submission of the learned counsel for the second respondent bank, it is ordered accordingly.

The writ petition stands disposed of with the above observation sans costs.

Sd/
ASSISTANT REGISTRAR (CO)

/TRUE COPY/

SUB-ASSISTANT REGISTRAR

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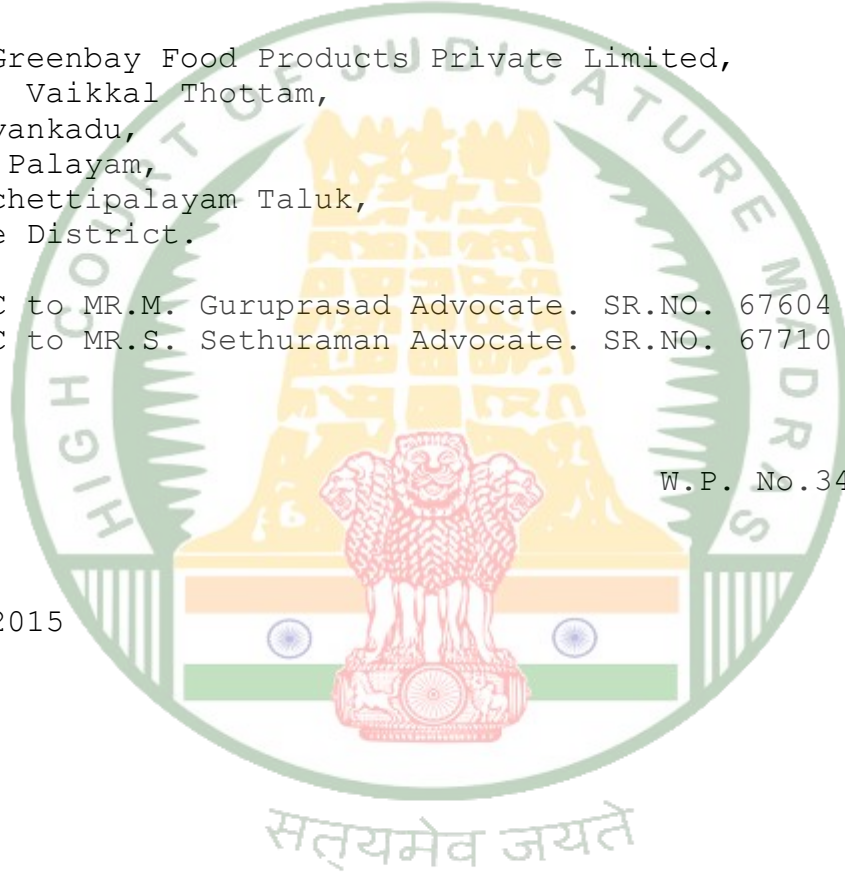
To

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Erode District.

+1 CC to MR.M. Guruprasad Advocate. SR.NO. 67604
+1 CC to MR.S. Sethuraman Advocate. SR.NO. 67710

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CO-SCD
JD 23/12/2015



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