

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.03.2015

CORAM:

THE HON'BLE MR. JUSTICE M. VENUGOPAL
and
THE HON'BLE MR. JUSTICE K. KALYANASUNDARAM

W.P. No.8065 of 2015

M/s. Sundaram BNP Paribas
Home Finance Ltd.,
rep. By its Authorised Officer
N. Udayakumar,
46, Whites Road, SF Towers, I floor,
Royapettah, Chennai 600 014. Petitioner

Vs.

The District Magistrate/ District Collector,
Thiruvannamalai District,
Thiruvannamalai. ..Respondent

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the respondent to pass orders on the petition filed on 28.05.2014 under Section 14 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 and implement the same.

For petitioner Mr. K. J. Parthasarathy

For respondent Mr. N. Sakthivel
Government Advocate

ORDER

(Order of the Court was made by M. VENUGOPAL, J.)

The grievance of the petitioner is that it had projected an application under Section 14 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (for short "SARFAESI Act"), on 28.05.2014 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. It appears that the respondent has not taken any positive step when the aim and purpose of the provisions of the SARFAESI Act is to lend a helping hand/ assistance to secure the possession of the secured asset at the earliest point of time.

2. The learned Special Government Pleader appearing for the respondent submits that a direction to that effect may be issued by this Court.

3. Accordingly, we direct the respondent to take up the petition filed by the petitioner on 28.05.2014 and to decide the same in the manner known to law and in accordance with law, of course, on its own merits, as expeditiously as possible, in any event, to pass appropriate, reasoned, speaking order in a fair, just and dispassionate manner, within a period of six weeks from the date of receipt of a copy of this order.

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

Sd/-
Assistant Registrar
Dated:27.3.15

True Copy

Sub Assistant Registrar

To

The District Magistrate/ District Collector,
Thiruvannamalai District,
Thiruvannamalai.

+1 cc to M/s.K.J.Parthasarathy, Advocate, SR.16392

+1 cc to Government Pleader, SR.16353.

rsk(co)
krd 30/3

W.P. No.8065 of 2015

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