

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.11.2016

CORAM:

THE HONOURABLE MR.JUSTICE S.MANIKUMAR

and

THE HONOURABLE MR.JUSTICE N.AUTHINATHAN

W.P.No.38218 of 2016

HDFC Bank Ltd.,
represented by its
Authorised Officer

.. Petitioner

vs.

The District Collector
Coimbatore Collectorate
Coimbatore - 624 004.

.. Respondent

Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus, to direct the respondent to pass necessary order in the Application dated 02.04.2016 filed by the petitioner under Section 14 of Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002, within a time frame to be fixed by this Court.

For Petitioner : Mr. D. Sathyaraj

For Respondent : Mr. K.V. Danapal, Spl. Govt. Pleader

ORDER

(Order of the Court was made by S.MANIKUMAR, J.)

HDFC Bank Limited, represented by its Authorised Officer, at No.11, Ceebros Buildings, 4th Floor, Nelson Manickam Road, Aminjikarai, Chennai - 600 029, has sought for a direction to the respondent, to pass necessary orders in his representation dated 02.04.2016, filed under Section 14 of Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002, within the time frame fixed by this Court.

2. On 03.11.2016, we directed Mr. K.V. Dhanapalan, learned Special Government Pleader, to take notice, on behalf of the District Collector, Coimbatore District, the respondent herein, and to get instructions, and the matter was directed to be listed on 07.11.2016. Today, Mr. K.V. Dhanapalan, learned Special Government Pleader submitted that despite intimation sent to the office of the District Collector, Coimbatore as well as a communication to the P.A. to District Collector, no instructions have been furnished to him.

3. Under Section 14 of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002, the District Magistrate has to pass orders within a time frame. Earlier, expressing concern over the administrative delay in passing necessary orders, on the application filed by the Banks, under Section 14 of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002, the Principal Secretary to Government, Finance (Res.II) Department, has issued a letter No.19498/Res.II/2014-15 dated 09.07.2014 and taking note of the above said letter, Madurai Bench of Madras High Court has passed orders in W.P.(MD) No. 7813 of 2016 on 22.04.2016.

4. Taking note of the submission of the learned Special Government Pleader, we direct the respondent District Collector, Coimbatore, to pass necessary orders in the Application dated 02.04.2016, filed by the petitioner under Section 14 of Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002, within a period of one month from the date of receipt of a copy of this order.

5. The Writ Petition is disposed of, accordingly. No costs.

सत्यमेव जयते
sd/-

Asst.Registrar (CS V)

/true copy/

Sub Asst. Registrar

avr

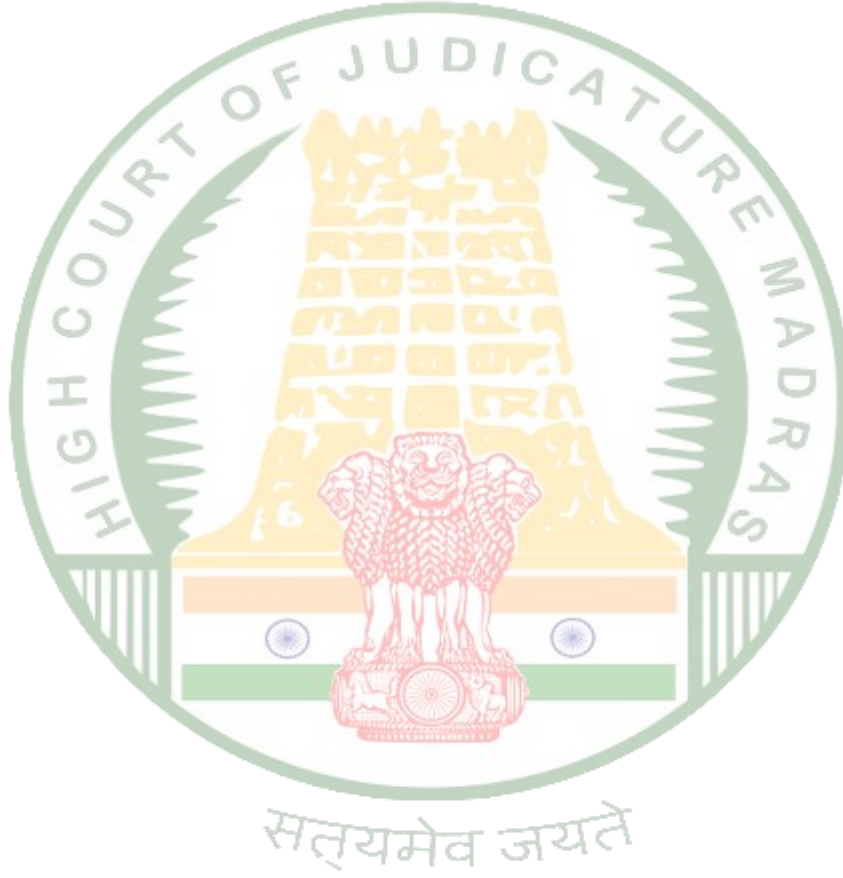
To

The District Collector
Coimbatore Collectorate
Coimbatore - 624 004.

1 cc to Mr.D. Sathyaraj, Advocate, Sr. 63632
1 cc to Government Pleader. Sr. 64366

W.P.No.38218 of 2016

KSJ (CO)
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