

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.11.2016

CORAM:

THE HONOURABLE MR.JUSTICE S.MANIKUMAR
and
THE HONOURABLE MR.JUSTICE N.AUTHINATHAN

W.P.No.40216 of 2016

National Trust Housing Finance Limited
represented by its Authorised Officer
Mr. David Thiayagarajan ... Petitioner

vs.

1. The District Collector
Salem District
Salem.
2. Mr. R. Rajinikanth
3. Mrs. R. Nazeema
both residing at P/107
P-Block, MMDA Colony
Arumbakkam
Chennai - 600 106. ... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus, directing the 1st respondent herein to dispose of the petition filed on 27.08.2015 under Section 14 of the SARFAESI Act for taking physical possession of the mortgaged property of the respondents 2 and 3 herein, within a reasonable time and pass further orders.

For Petitioner : Mr. S. Jayasankar

For Respondent No.1 : Mr. K.V. Dhanapal, Spl. Govt.
Pleader

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

National Trust Housing Finance Limited, Chennai represented by its Authorised Officer, has sought for a Writ of Mandamus, directing the 1st respondent District Collector, Salem, to dispose of the petition dated 27.08.2015 filed under Section 14 of the SARFAESI Act, by the petitioner, for taking physical possession of the mortgaged property of the respondents 2 and 3.

2. On 16.11.2016, when the matter came up for hearing, we directed learned Special Government Pleader, to get instructions. Notice has already been issued to respondents 2 and 3, and the matter is posted today for consideration.

3. Mr. K. V. Dhanapal, learned Special Government Pleader appearing for the first respondent submitted that within two weeks from today, orders would be passed on the petition dated 27.08.2015, of the petitioner on merits and in accordance with Section 14 of the SARFAESI Act.

4. Placing on record, the above submission of the learned Special Government Pleader, there will be direction to the District Collector, Salem, to pass orders on the petition dated 27.08.2015, on merits and in accordance with law, within a period of two weeks from the date of receipt of a copy of this order. The writ petition is disposed of. No costs.

Sd/-
Asst.Registrar (CS IV)

/true copy/

Sub Asst. Registrar

To

The District Collector
Salem District
Salem.

+1 cc to Govt.Pleader,sr.67919

+1 cc to Mr.S.Jayasankar,advocate,sr.67605.

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