

THE HON'BLE SRI JUSTICE V. RAMASUBRAMANIAN

AND

THE HON'BLE SRI JUSTICE G. SHYAM PRASAD

WRIT PETITION No. 41881 of 2016

ORDER: (*Per VRS,J*)

The petitioner has come up with the present writ petition, seeking a Mandamus to declare the action of the 4th respondent in taking over vacant possession of the property as unlawful, and to direct the respondents to consider their representation.

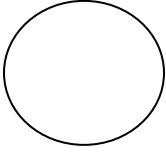
2. It appears from the records that possession was taken on 31.05.2016 under Section 13(4) of the SARFAESI Act, 2002 and an order was passed under Section 14 on 23.07.2016. Therefore, the appropriate course of action open to the petitioner is only to approach the Debts Recovery Tribunal. The Tribunal has become functional from 03.11.2016. Therefore, leaving it open to the petitioner to approach the Tribunal, the Writ Petition is dismissed.

Consequently, miscellaneous petitions if any pending in the writ petition shall stand dismissed. No order as to costs.

V. RAMASUBRAMANIAN, J

G. SHYAM PRASAD, J

13th December, 2016
cbs



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Writ Petition No. 41881 of 2016
(dismissed)

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