

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.08.2017

CORAM:

THE HON'BLE MR.JUSTICE S.MANIKUMAR
AND
THE HON'BLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.11037 of 2017

R.Gopalswamy

... Petitioner

Vs.

- 1.The District Collector,
Tirupur, Tirupur District.
- 2.The Sub Collector,
Tirupur, Tirupur District.
- 3.The Authorised Officer cum
The Assistant General Manager,
State Bank of India,
Stressed Asset Management Branch,
1112, Raja Plaza, Avinashi Road,
Coimbatore - 641 037.
- 4.The Deputy General Manager,
State Bank of India,
Stressed Asset Management Branch,
1112, Raja Plaza, Avinashi Road,
Coimbatore - 641 037.
- 5.The Authorised Officer cum
The Assistant General Manager - Relationship Manager,
State Bank of India, Mid-Corporate Group,
Commercial Branch, 1443, Trichy Road,
Coimbatore - 641 018.
- 6.The Chief Manager,
State Bank of Hyderabad,
Coimbatore Branch,
1028, United India Building,
Avinashi Road, Coimbatore - 641 018

... Respondents

WRIT Petition filed under Article 226 of the Constitution of India, praying for the issuance of a writ of Mandamus, directing the respondents herein to consider the petitioner representation dated 5.3.2017 as provided under Section 14 SARFAESI Act, 2002 and also to afford the petitioner an opportunity of personal hearing.

For Petitioner : Mr.S.Mukunth
for Mr.U.Visal Kumar

For Respondents : Mr.K.V.Dhanapalan (for R1 &R2)
Special Government Pleader

Mr.G.Senthil Kumar (for R3)
for Mr.S.Sethuraman

ORDER

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

Borrower has sought for a writ of Mandamus, directing the respondents herein to consider the petitioner's representation dated 5.3.2017, as provided under Section 14 SARFAESI Act, 2002 and also to afford him an opportunity of personal hearing.

2. Record of proceedings shows that instant writ petition has been admitted on 28.04.2017 and notice ordered.

3. On this day, when the matter came up for further hearing, Mr.G.Senthil Kumar, learned counsel for the Authorised officer, Assistant General Manager, State Bank of India, Stressed Asset Management Branch, Coimbatore, submitted that physical possession has already been taken on 17.06.2017, pursuant to the order of the District Magistrate cum District Collector, Tirupur District, made on 31.05.2017 in Application No.6853/16/C3, filed under Section 14 of the SARFAESI Act 2002. Mr.S.Mukunth, learned counsel appearing for the petitioner acknowledges the said submission.

4. In view of the subsequent events, nothing survives in this writ petition for adjudication. Hence, writ petition is dismissed. No costs.

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

ars

To

1.The District Collector,
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2.The Sub Collector,
Tirupur, Tirupur District.

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Coimbatore Branch,
1028, United India Building,
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+1cc to Mr.S.Sethuraman, Advocate, S.R.No.60798
+1cc to Mr.U.Visal Kumar, Advocate, S.R.No.60280

W.P.No.11037 of 2017

BR(CO)
CA(11/09/2017)

सत्यमेव जयते

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