



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.08.2017

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
and
THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD) No.16384 of 2017

The Authorized Officer,
State Bank of India,
Stressed Asset Management Branch,
No.1112, Raja Plaza, Avinashi Road,
Coimbatore 641 037.

.. Petitioner

Vs.

1.The District Magistrate-cum-District Collector,
Theni, Theni District.

2.The Special Tahsildar [Stamps],
Collectorate Buildings, Theni,
Theni District.

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 1 and 2 to take appropriate action under SARFAESI Act, with regard to Application No.8282 of 2015, pending on the file of the first respondent to take physical possession of the Item Nos.1, 2 3 and 11 of the Sale Notice dated 22.04.2016 and more particularly in terms of representation dated 12.07.2017 made to the second respondent.

For petitioner : Mr.S.Sethuraman

For respondents : Mr.T.S.Mohammed Mohideen
Additional Government Pleader



O R D E R

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[Order of the Court was made by K.K.SASIDHARAN, J.]

The Writ Petition is dismissed on account of non-joinder of necessary party. It is open to the petitioner to file a fresh Writ Petition, after impleading the borrower as a party. No costs.

Sd/-

Assistant Registrar(AD-II)

/True Copy/

Sub Assistant Registrar.

To:

- 1.The District Magistrate-cum-District Collector,
Theni, Theni District.
- 2.The Special Tahsildar [Stamps],
Collectorate Buildings, Theni,
Theni District.

+1CC to Mr.V.Karthikeayan, Advocate, SR.No.75638

ORDER MADE IN
W.P. (MD) No.16384 of 2017
31.08.2017

NB

AM/SV MMS/SAR 2/11.09.2017/2P/4C