



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **01.03.2017**

CORAM:

THE HONOURABLE MR.JUSTICE **R.SUBBIAH**

AND

THE HONOURABLE MRS.JUSTICE **J.NISHA BANU**

W.P.[MD].Nos.10317, 10819 and 10820 of 2016

1 M/S.SUNDARAM BNP PARIBAS HOME FINANCE LTD., REP. BY ITS
AUTHORISED OFFICER R.SHANMUGAM, 46, WHITES ROAD, SF TOWERS, I FLOOR,
ROYAPETTAH, CHENNAI - 600 014.

... Petitioner(s) in WP(MD). 10317/ 2016

1 M/S.SUNDARAM BNP PARIBASS HOME FINANCE LTD., REP. BY AUTHORISED
OFFICE R.SHANMUGAM, 46, WHITES ROAD, CHENNAI - 600 014.

... Petitioner(s) in WP(MD). 10819/ 2016

1 M/S.SUNDARAM BNP PARIBAS HOME FINANCE LTD., FORMELY KNOWN AS
(SUNDARAM HOME FINANCE LIMITED)
REP. BY ITS AUTHORISED OFFICER
R.SHANMUGAM,
46, WHITES ROAD, CHENNAI 600 014

... Petitioner(s) in WP(MD). 10820/
2016

- Vs. -

1 THE DISTRICT MAGISTRATE /DISTRICT COLLECTOR, TIRUCHIRAPPALLI
DISTRICT, TIRUCHIRAPPALLI.

2 N.MOHAN D.1. FIRST FLOOR, 10TH CROSS EAST, B22, VIJAYS PRAVEENA
APARTMENTS, THILLAI NAGAR, TRICHY - 620018.

3 M.ANBARASI D1. FIRST FLOOR, 10TH CROSS EAST, B22, VIJAYS PRAVEENA
APARTMENTS, THILLAI NAGAR, TRICHY - 620018.

... Respondent(s) in 1 TO 3 WP(MD).
10317/ 2016

1 THE DISTRICT MAGISTRATE/ DISTRICT COLLECTOR, OFFICE OF THE
DISTRICT COLLECTOR, TIRUCHIRAPPALLI DISTRICT, TIRUCHIRAPPALLI-620 001

2 V.NAGOOR PITCHAI OLD DOOR NO. 6/A, NEW NO. 2, VADIKAL STREET,
SRIRANGAM, TRICHY - 620006.

3 N.KURSHITH BANU OLD DOOR NO. 6/A, NEW NO.2, VADIKAL STREET,
SRIRANGAM, TRICHY - 620006.

... Respondent(s) in 1 TO 3 WP(MD).
10819/ 2016

1 THE DISTRICT MAGISTRATE / DISTRICT COLLECTOR, OFFICE OF THE
DISTRICT COLLECTOR, PUDUKOTTAI DISTRICT, PUDUKOTTAI 622 005



3 N.SARANYA PLOT NO.16, MAIN VEETHI, CHELLAPPA NAGAR, PUDUKOTTAI
622 001

... Respondent(s) 1 TO 3 in WP(MD). 10820/
2016

Prayer in WP(MD). 10317/ 2016 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus directing the respondent to pass orders on the petition filed on 06.01.2015 under section 14 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act 2002 and implement the same within the time fixed by this Honble Court.

Prayer in WP(MD). 10819/ 2016 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus directing the 1st respondent to pass orders on the petition filed on 30.10.2015 under section 14 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act 2002 and implement the same within the time fixed by this Honble Court.

Prayer in WP(MD). 10820/ 2016 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus directing the 1st respondent to pass orders on the petition filed on 03.09.2015 under Section 14 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security interest Act 2002 and implement the same within the time fixed by this Honble Court.

For Petitioner in all
W.PS

: Mr.N.Anandakumar

For Respondent
IN ALL W.PS

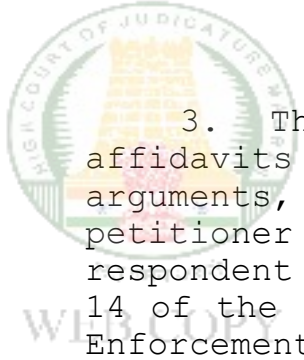
No.1 : Mr.N.S.Karthikeyan
Additional Government Pleader

COMMON ORDER

[Order of the Court was made by R.SUBBIAH, J.]

Since a common issue involved in all these Writ Petitions, they were heard together and the Writ Petitions are disposed of by means of this Common Order.

2. These Writ Petitions have been filed seeking a Writ of Mandamus directing the first respondent to pass orders on the petitions filed on 30.10.2015, 06.01.2015 and 03.09.2015, under Section 14 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 and implement the same within a stipulated time.



3. Though several contentions have been raised in the affidavits filed in support of the Writ Petitions, at the time of arguments, the learned counsel for the petitioner submitted that the petitioner would be satisfied, if a direction is issued to the first respondent to consider the petitions submitted by him under Section 14 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 and pass orders, within a stipulated time.

4. In view of the said submission made, without going into the merits of the case, the Writ Petitions are disposed of with a direction to the respondent to consider the petitions submitted by the petitioner dated 30.10.2015, 06.01.2015 and 03.09.2015, under Section 14 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 and pass appropriate orders, within a period of four weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any opinion regarding the merits of the case and it is for the respondent to consider the petitions filed by the petitioner independently and decide the issue. No costs.

SD/-

ASSISTANT REGISTRAR

/TRUE COPY/

SUB ASSISTANT REGISTRAR

To

1 THE DISTRICT MAGISTRATE /DISTRICT COLLECTOR, TIRUCHIRAPPALLI DISTRICT, TIRUCHIRAPPALLI.

2 THE DISTRICT MAGISTRATE / DISTRICT COLLECTOR, OFFICE OF THE DISTRICT COLLECTOR, PUDUKOTTAI DISTRICT, PUDUKOTTAI 622 005

+3 CC TO MR. A. ANANDAKUMAR, ADVOCATE, SR NO.1199,12000&12001

+3 CC TO SPECIAL GOVERNMENT PLEADER, SR NO.1949,11948&11944

NB

MAS/RR:13.03.2017:3P-9C

COMMON ORDER MADE IN
W.P.[MD].Nos.10317, 10819 and 10820 of 2016
01.03.2017