

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.01.2018

CORAM:

THE HONOURABLE MR.JUSTICE S.MANIKUMAR
and
THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.34307 of 2017
and
W.M.P.No.38178 of 2017

M/s.DCB Bank Ltd.,
Registered Officer at No.601 & 602,
Peninsula Business Park,
6th Floor, Tower A Sebboatu Bapet Mark,
Lower Pard Mumbai-400 013.
Branch Office at No.6, Rajaji Road,
1st Floor, Nungambakkam,
Chennai 600 034.
Rep. by its Senior Manager. ... Petitioner

Vs.

- 1.The District Collector,
Thiruvallur District,
Thiruvallur.
- 2.The Tahsildar,
Ambattur. ... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a writ of Mandamus, directing the second respondent to pass orders on an application filed under Section 14 of the SARFAESI Act by the petitioner bank relating to the file Spl.Reg.No.76/2015/M2, dated 16.10.2015, within a time frame.

For Petitioner : M/s.Christella

For Respondents : Mr.M.Elumalai
Government Advocate

ORDER

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

M/s.DCB Bank Ltd., Chennai, has filed instant writ petition, for a mandamus, directing the second respondent, to pass orders on the application, filed under Section 14 of the SARFAESI Act, taken on record, in Spl.Reg.No.76/2015/M2, dated 16.10.2015, within a time frame.

2. Mr.M.Elumalai, learned Government Advocate, appearing for the respondents, submitted that so far, no order has been passed.

3. With the consent of learned counsel appearing for both parties, writ petition is disposed, of at the admission stage itself.

4. Material on record discloses that pursuant to the application, dated 16.10.2016, filed under Section 14 of the SARFAESI Act, 2002, the District Collector-cum-District Magistrate, Thiruvallur, in his letter, Spl.Reg.No.76/2015/M2, dated 16.10.2015, has called for certain details, from the Tahsildar, Ambattur. As no orders have passed, bank has sent a letter, to the District Collector-cum-District Magistrate, Thiruvallur District, requesting for early orders. Left with no other alternative, Bank has filed the instant writ petition, for a mandamus, as stated supra.

5. On instructions, Mr.M.Elumalai, learned Government Advocate, submitted that Tahildar, Ambattur, is yet to submit his report, to the District Collector-cum-District Magistrate, Tiruvallur District, so as to enable the latter pass orders, on the application of the bank.

6. Placing on record the above, we direct the Tahsildar, Ambattur, Tiruvallur District/second respondent herein, to submit his report, within two weeks from the date of receipt of a copy of this order. District Collector-cum-District Magistrate, Tiruvallur District, is directed to pass orders, within a further period of two weeks, thereafter. It is made clear that the exercise should be completed, within four weeks, from the date of receipt of a copy of this order.

7. Accordingly, the instant Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

DM

To

1.The District Collector,
Thiruvallur District,
Thiruvallur.

2.The Tahsildar,
Ambattur.

+1cc to Mr.M.Christella, Advocate, S.R.No.863

+1cc to the Government Pleader, S.R.No.824

W.P.No.34307 of 2017
and W.M.P.No.38178 of 2017

KAN (CO)

RRK (08/01/2018)



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