IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.09.2018

CORAM :

The Hon'ble Mrs.V.K.TAHILRAMANI, CHIEF JUSTICE

AND

The Hon'ble Mr.JUSTICE M.DURAISWAMY

W.P. No.23353 of 2018

M/s.Citibank NA
Rep. by its Authorised Representative
Mr.s.Sudarshan. .. Petitioner

-vs-

The District Magistrate cum District Collector,
Kancheepuram District, Kancheepuram. .. Respondent

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus directing the respondent to expeditiously dispose of the Section 14 petition under SARFAESI Act 2002 filed by the petitioner before the respondent on 28.04.2017.

For Petitioner : Mr.M.Arunachalam

For Respondent : Mr.Kamalesh Kannan.S
Government Advocate

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ORDER

(Order of the Court made by The Hon'ble Chief Justice)

Mr.S.Kamalesh Kannan, learned Government Advocate accepts notice on behalf of the respondent.

2. This writ petition has been filed by the petitioner seeking a writ of mandamus directing the respondent to pass an order on the petition dated 28.04.2017 filed by the petitioner

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under Sections 14 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (in short, 'SARFAESI Act').

3. Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondent.

4. Learned counsel appearing for the petitioner submitted that though the petition was filed by the petitioner on 28.04.2017, the respondent-District Collector has not disposed of the same till date. He would submit that in view of the long pendency of the matter, the petitioner is not in a position to take possession of the property.

5. Learned Government Advocate submitted that the respondent may be directed to dispose of the petition dated 28.04.2017 filed by the petitioner under Sections 14 of the SARFAESI Act within a period of six weeks.

6. Having regard to the submission made by the learned counsel appearing on either side and taking note of the limited prayer sought for in this writ petition, without expressing any opinion on the merits of the case, we direct the respondent to consider and pass orders on the petition dated 28.04.2017 filed by the petitioner under Sections 14 of the SARFAESI Act, on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order, after giving notice to all concerned.

7. With the above observation, the writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(CO)

//True copy//

Sub Assistant Registrar

sra

To

The District Magistrate cum District Collector,
Kancheepuram District, Kancheepuram.

+1cc to Mr.M.Arunachalam, Advocate SR.No.62315

+1cc to Government Pleader SR.No.62184

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GMY(18/09/2018)

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