

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.09.2018

CORAM :

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

AND

The Hon'ble Mr.JUSTICE M.DURAI SWAMY

W.P. No.24962 of 2018

M/s.Citibank NA

Having Branch Office at

Acropolis - 9th Floor,

New No.148, (Old No.68)

Dr.Radhakrishnan Salai,

Mylapore, Chennai - 600 004

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 pass orders in Section 14 petition under SARFAESI Act, 2002 filed by the petitioner before the respondent on 12.9.2016 and another petition vide reference bearing No.Na.Ka.28875/2014/M3/, dated 01.12.2014 respectively.

For Petitioner

: Ms.K.Bhuvaneswari

for M/s.M.Arunachalam

For Respondent

: Mr.T.N.Rajagopalan

Government Pleader

ORDER

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

Mr.T.N.Rajagopalan, learned Government Pleader 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 petitions dated 12.9.2016 and 01.12.2014 respectively filed by the petitioner under Section 14 of 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 Pleader appearing for the respondent.

4. Learned counsel appearing for the petitioner submitted that though petitions filed by the petitioner are pending since December 2014 and September 2016 respectively, 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 Pleader submitted that the respondent may be directed to dispose of the petitions dated 01.12.2014 and 12.09.2016 respectively filed by the petitioner under Section 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 petitions dated 01.12.2014 and 12.09.2016 respectively filed by the petitioner under Section 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 these observations, the writ petition is disposed of. No costs.

Sd/-
Assistant Registrar (CS-V)

//True Copy//

Sub Assistant Registrar

bbr

To

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

+1cc to Mr.M.Arunachalam, Advocate, S.R.No. 66780
+1cc to the Government Pleader, S.R.No. 65968

W.P.No.24962 of 2018

GN(03/10/2018)