

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 27.09.2018

CORAM

THE HON'BLE MRS.V.K.TAHILRAMANI, CHIEF JUSTICE
AND
THE HON'BLE MR.JUSTICE M.DURAI SWAMY

W.P.Nos.25349, 25351, 25354 and 25356 of 2018

Edelweiss Housing Finance Limited
rep. by its Authorized Officer
M.P.K.Mahendra Varma
3rd Floor, MTH Rajan Properties
No.40, Bazullah Road, T.Nagar
Chennai - 600 017.

... Petitioner
in all writ petitions

Vs.

The District Collector/Magistrate
Thiruvallur District
Thiruvallur.

.. Respondent
in W.P.Nos.25349 and
25351 of 2018

The District Collector/Magistrate
Krishnagiri District
Krishnagiri.

.. Respondent
in W.P.Nos.25354 and
25356 of 2018

PRAYER in W.P.Nos.25349 and 25351 of 2018: Petitions under Article 226 of the Constitution of India for issuance of writ of Mandamus directing the respondent to pass orders on the petitions filed on 28.12.2016 under Section 14(1) of the SARFAESI Act within a stipulated time.

PRAYER in W.P.Nos.25354 and 25356 of 2018: Petitions under Article 226 of the Constitution of India for issuance of writ of Mandamus directing the respondent to pass orders on the petitions filed on 13.3.2018 under Section 14(1) of the SARFAESI Act within a stipulated time.

For Petitioner : No appearance

For Respondents : Mr.T.N.Rajagopalan
Government Pleader

COMMON ORDER
(Made by the Hon'ble Chief Justice)

There is no representation on behalf of the petitioner. Mr.T.N.Rajagopalan, learned Government Pleader accepts notice on behalf of the respondents.

2. These writ petitions have been filed by the petitioner seeking writ of mandamus directing the respondents to pass an order on the petitions dated 28.12.2016 (in W.P.Nos.25349 and 25351 of 2018) and 13.3.2018 (in W.P.Nos.25354 and 25356 of 2018) filed by the petitioner under Section 14 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (in short, 'SARFAESI Act').

3. On a bare perusal of the averments in the affidavits filed in support of the writ petitions, it appears that the grievance of the petitioner is that though petitions were filed by the petitioner on 28.12.2016 and 13.3.2018, the respondents have not disposed of the same till date and in view of the long pendency of the matter, the petitioner is not in a position to take possession of the property.

4. Learned Government Pleader submitted that the respondents may be directed to dispose of the petitions dated 28.12.2016 and 13.3.2018 filed by the petitioner under Section 14 of the SARFAESI Act within a period of six weeks.

5. Having regard to the submission made by the learned Government Pleader and taking note of the limited prayer sought for in these writ petitions, without expressing any opinion on the merits of the case, we direct the respondents to consider and pass orders on the petitions dated 28.12.2016 and 13.3.2018 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.

6. With the above observation, these writ petitions are disposed of. No costs.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

sasi

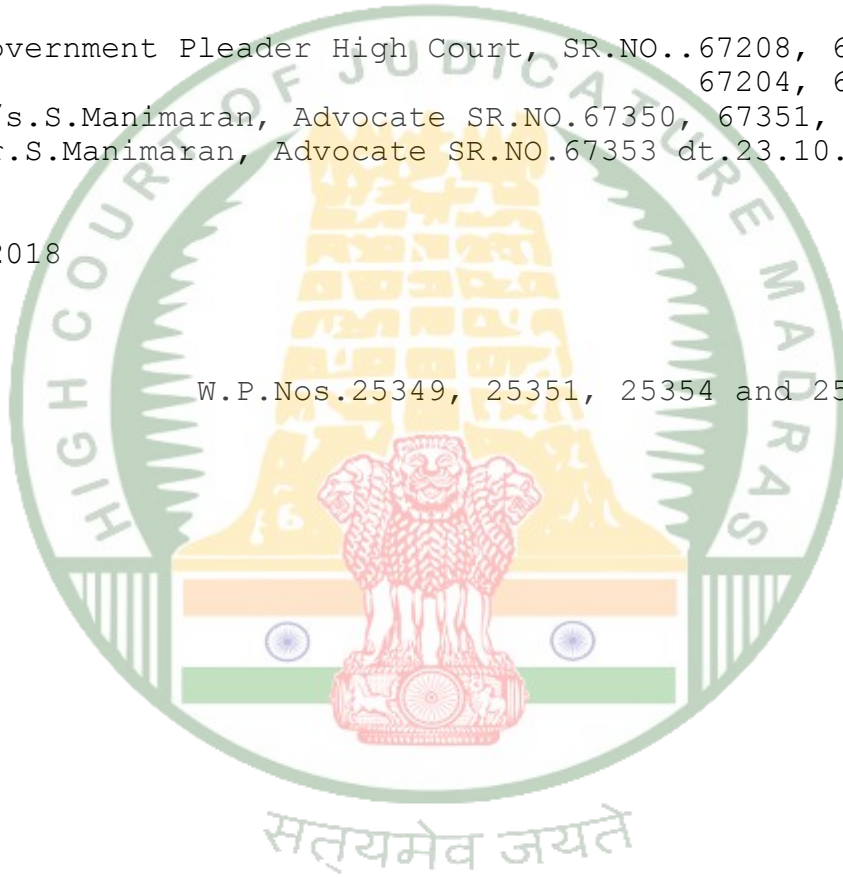
To

1. The District Collector/Magistrate
Thiruvallur District
Thiruvallur.
2. The District Collector/Magistrate
Krishnagiri District
Krishnagiri.

+1cc to Government Pleader High Court, SR.NO..67208, 67206,
67204, 67207
+3cc to M/s.S.Manimaran, Advocate SR.NO.67350, 67351, 67352
+1cc to Mr.S.Manimaran, Advocate SR.NO.67353 dt.23.10.2018

PPA (CO)
sm:10.10.2018

W.P.Nos.25349, 25351, 25354 and 25356 of 2018



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