



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**Dated : 09.08.2018**

**CORAM :**

**THE HONOURABLE MR.JUSTICE T.RAJA**

**And**

**THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY**

**W.P (MD) No.15146 of 2018**

**and**

**WMP (MD) No.13704 of 2018**

M/s.Equitas Small Finance Bank Ltd.,  
having office at No.107 A, 2<sup>nd</sup> Floor,  
Kavery Complex,  
Salai Road, Woraiyur, Trichy -3,  
Rep. By its Area Legal Manager/ Authorised Officer,  
Mr.N.Mahendran ... Petitioner

**vs.**

1. The District Collector cum District Magistrate,  
District Collector Office, Trichy District.

2.Mr.T.Natarajan

3.Mrs.Packiavathy

4.Mr.Rajadurai

5.Mr.Saravanan

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus directing the District Collector cum District Magistrate, Trichy to expeditious disposal of the application filed by the petitioner bank under Section 14 of SARFAESI Act, on 22.07.2016 in Ref.No:Na.Ka.G5-13406-2016 on merits within a time limit to be fixed by this Court.

For Petitioner : Mr.K.Govindarajan

For R1 : Mr.C.Ramar  
Additional Government Pleader

For R2 : Mr.T.R.Subramanian

For R3 to R5 : Mr.K.M.Ragavan

**ORDER**

**(Order of the Court was made by T.RAJA, J.)**

The present writ petition has been filed seeking for issuance of writ of Mandamus directing the District Collector cum District Magistrate, Trichy to dispose of the application dated 22.07.2016



filed by the petitioner bank under Section 14 of the SARFAESI Act, expeditiously on merits, within the reasonable time fixed by this Court.

2. The learned counsel for the petitioner bank submitted that although an application under Section 14 of the SARFAESI Act, filed long back, i.e. on 22.07.2016, after issuing notice on 27.06.2017, the first respondent has kept the proceedings in cold storage, whereas, as per Section 14 of the Act, that application as and when filed should be disposed of within thirty days and if the first respondent is convinced, after recording the reasons, sixty days more time can be granted. But in the present case, for the last two years application under Section 14 of the SARFAESI Act, is pending. Therefore, the prayer made by the petitioner directing the first respondent to dispose of the pending application may be granted.

3. We have heard the learned counsels appearing on either side. The learned counsel appearing for the second respondent submitted that the respondents 3 to 5 are the family members of R2 and therefore, service on the respondents 2 to 5 are completed.

4. Since the prayer made by the petitioner is limited and reasonable, this Court, without going into the merits of the matter, hereby directs the first respondent/The District Collector cum District Magistrate, Trichy District to take up the pending application, dated 22.07.2016, filed under Section 14 of the SARFAESI Act, and pass orders after hearing the parties, on merits and in accordance with law, within a period of thirty days from the date of receipt of a copy of this order. The writ petition is disposed of accordingly. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar(CS-I)

To

The District Collector cum District Magistrate,  
District Collector Office, Trichy District.

+1cc to Mr.T.R.Subramanian, Advocate Sr.No.77800

+1cc to Mr.K.Govindarajan, Advocate Sr.No.77880

RJ2

VB/RSK/SAR1/27.09.2018/2P/4C