



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.11.2018

CORAM:

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**THE HONOURABLE MR.JUSTICE R.SUBBIAH
AND
THE HONOURABLE MRS. JUSTICE R.THARANI**

W.P.(MD)Nos.18518 to 18521 of 2018

Magma Housing Finance Ltd.,
Rep. By its Authorised Officer,
M.Shiva Sudhaakar
Navins Presidium
7-A B-Block New No.17-19
Old 103 Nelson Manickam Road
Chennai.

: Petitioner in all W.Ps.

Vs.

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

: Respondent in
WP(MD)Nos.18518 & 18521/2018

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

: Respondent in WP(MD)No.18519/2018

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

: Respondent in WP(MD)No.18520/2018

Common PRAYER: Petitions are filed under Article 226 of the Constitution of India praying for the issue of a Writs of Mandamus to direct the respondent to expeditious disposal of the application filed by the petitioner company under Section 14 of SARFAESI Act filed on 14.03.2018, 26.03.2018, 12.02.2018, 14.03.2018 respectively, on merits within a time bound manner that may be fixed by this Court.



For Petitioner
For Respondent

: Mr.V.R.Poobalan (in all Wps)
: Mr.M.Jeyakumar (in all Wps)
Additional Government Pleader

ORDER

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[Order of the Court was made by R.SUBBIAH, J]

These Writ Petitions have been filed to direct the respondent to dispose of the application, which has been filed on 14.03.2018, 26.03.2018 and 12.02.2018, by the petitioner Company under Section 14 of the SARFAESI Act.

2.Since the scope of the prayer made in these writ petitions is very limited, we are not traversing into the entire submissions made in the affidavit. However, it is pointed out that as per Proviso to Section 14 (ix) of the SARFAESI Act, the order has to be passed by the District Collector within a period of 30 days and if the order could not be passed within 30 days for reasons beyond his control, he may, after recording reasons in writing, pass orders within such period, but not exceeding in aggregate 60 days. So far as the present cases are concerned, the applications of the petitioner are pending for the past so many months.

3.We find some justification in the prayer made by the petitioner. Hence, this Court directs the respondent to dispose of the applications filed by the petitioner, on various dates, preferably, within a period of thirty days from the date of receipt of a copy of this order.

4.With the above direction, these writ petitions are disposed of. No costs.

Sd/-

Assistant Registrar (P&A)

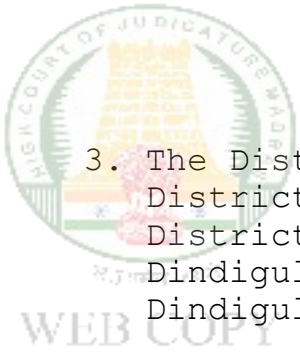
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Sub Assistant Registrar (CS-IV)

To

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

2. The District Collector cum
District Magistrate,
District Collector Office,
Pudukkottai District,
Pudukkottai.



3. The District Collector cum
District Magistrate,
District Collector Office,
Dindigul District,
Dindigul.

+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 97581
+ 4 CC TO Mr.V.R.POOBALAN, ADVOCATE IN SR No. 97391 to 97394

RR

TE/BK/SAR-4 : 26/12/2018 : 3P/9C

Order made in
W.P. (MD) Nos.18518 to 18521 of 2018
Dated: 28.11.2018