

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.02.2019

CORAM :

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

AND

The Hon'ble Mr.JUSTICE M.DURAI SWAMY

W.P. No.3473 of 2019

The Authorised Officer/Assistant General Manager,
Bank of Baroda,
ZOSARB Branch,
74, Thegaraya Road,
T.Nagar, Chennai-600 017.

.. Petitioner

-vs-

The District Collector,
Collectorate,
Kancheepuram District,
Kancheepuram-631 501.

.. Respondent

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus directing the respondent to pass orders on the application filed by the petitioner bank on 06.08.2015 under Section 14 SARFAESI Act for the purpose of taking possession of the secured assets.

For Petitioner : Ms.V.Valamathi

For Respondent : Mr.V.Jayaprakash Narayanan
Government Pleader (i/c)

ORDER

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

Mr.V.Jayaprakash Narayanan, learned Government Pleader (i/c) 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 06.08.2015 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. Heard the learned counsel appearing for the petitioner and the learned Government Pleader (i/c) appearing for the respondent.

4. Learned counsel appearing for the petitioner submitted that though the petition was filed by the petitioner on 06.08.2015, the respondent-District Collector has not disposed of the same till date. She 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 (i/c) submitted that the respondent may be directed to dispose of the petition dated 06.08.2015 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 petition dated 06.08.2015 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 the above observation, the writ petition is disposed of. No costs.

Sd/-
Deputy Registrar

//True copy//

Sub Assistant Registrar

bbr
To
The District Collector,
Collectorate, Kancheepuram District,
Kancheepuram-631 501.

+1cc to Mr.S.Mohan, Advocate SR.No.10338

+1cc to Government Pleader SR.No.10552

W.P.No.3473 of 2019

GMV(18/02/2019)