

IN THE HI-GH COURT OF JUDICATURE AT MADRAS

DATED: 16.04.2019

CORAM :

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

AND

The Hon'ble Mr.JUSTICE M.DURAI SWAMY

W.P. No.7296 of 2019

K.A.Subash

.. Petitioner

-vs-

The Chief Manager,
State Bank of India,
Retail Assets Central Processing Centre,
Tambaram, Satheesh Paradise,
1st Floor, No.388, Velachery Main Road,
Selaiyur, Chennai 600 073.

.. Respondent

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct the respondent Bank to deliver the possession of the house property at Plot No.4 to an extent of 1222 sq. feet together with built up area of about 440 sq.feet bearing Patta No.96/3A1B at Old No.4/637, New No.15/358 in Krishnadass Street, Moovar Nagar, Pozhichalur Village, Alandur Taluk, Kanchipuram District, by taking steps under Section 14 of the SARFAESI Act, 2002, by considering the petitioner's representation dated 18.02.2019 within a time frame as fixed by this Court.

For Petitioner : Mr.K.Suthan

For Respondents : Mrs.S.R.Sumathy
: Mr.V.Jayaprakash Narayanan
Govt. Pleader (i/c.), taking notice
for Dist. Collector, Kanchipuram.

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O R D E R

(Order of the Court was made by M.Duraiswamy, J.)

The petitioner has filed the above writ petition to issue writ of mandamus directing the respondent Bank to deliver possession of the house property at Plot No.4 to an

extent of 1222 sq. feet together with built up area of about 440 sq.feet bearing Patta No.96/3A1B at Old No.4/637, New No.15/358 in Krishnadass Street, Moovar Nagar, Pozhichalur Village, Alandur Taluk, Kanchipuram District, by taking steps under Section 14 of the SARFAESI Act, 2002.

2.The respondent Bank has filed a counter affidavit wherein it has been stated that the respondent Bank had already filed an application under Section 14 of the SARFAESI Act, before the District Collector, Kanchipuram, on 08.02.2019 and the District Collector, Kanchipuram, has also passed orders on 21.03.2019 for taking possession of the property.

3.In view of the averments stated in the counter affidavit filed by the respondent Bank, no further direction need be issued to the respondent Bank. However, the District Collector, Kanchipuram, shall take appropriate steps in accordance with law.

The writ petition is disposed of with the above observation. No costs.

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

sra

The Chief Manager,
State Bank of India,
Retail Assets Central Processing Centre,
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Selaiyur, Chennai 600 073.

2.The District Collector, Kanchipuram.

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A.SK(08/05/2019)