

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.03.2019

CORAM :

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

AND

The Hon'ble Mr.JUSTICE M.DURAI SWAMY

W.P. No.8921 of 2019

M/s.Bajaj Finance Limited,
No.804, 805 & 806, 8th Floor,
Delta Wing, Raheja Towers,
Anna Salai, Chennai - 600 002
rep. by its Authorised Representative
Nandhini Priya ... Petitioner

-vs-

The District Magistrate cum District Collector,
Office of the District Collector at Chennai,
Chennai District. .. Respondent

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus directing the respondent to expeditiously disposing off the petition dated 25.09.2017 vide reference 2017/9005/03/831910/0925 before the respondent the District Magistrate cum District Collector, Kancheepuram which was transferred to the respondent on 12.12.2018 vide No.Na.Ka.18751/2018/M3 and pass such other order or orders as this Hon'ble Court deems fit and proper in the interest of justice.

For Petitioner : Mr.M.Arunachalam

For Respondent : Mr.S.Kamalesh Kannan
Government Advocate

ORDER

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

Mr.S.Kamalesh Kannan, learned Government Advocate 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 orders on the petition dated 25.09.2017 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') before the District Collector, Kancheepuram, which was transferred to the file of the respondent/District Collector on 12.12.2018.

3. Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondent.

4. Learned counsel appearing for the petitioner submitted that though the petition was filed by the petitioner on 25.09.2017 before the District Collector, Kancheepuram and the same was transferred to the file of the respondent/District Collector, Chennai District on 12.12.2018, the respondent-District Collector has not disposed of the same till date. He 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. Having regard to the submission made by the learned counsel for the petitioner 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 25.09.2017 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, the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS)

//True Copy//सत्यमेव जयते

Sub Assistant Registrar

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To

The District Magistrate cum District Collector,
Office of the District Collector at Chennai,
Chennai District.

+1cc to Mr.M.Arunachalam , Advocate SR.No. 30942

+1 cc to Government Pleader SR.NO. 30994

W.P.No.8921 of 2019

A.SK(24/04/2019)