

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.04.2019

CORAM :

THE HON'BLE MRS.VIJAYA K.TAHILRAMANI, CHIEF JUSTICE

AND

The HON'BLE MR.JUSTICE M.DURAI SWAMY

W.P. No.9875 of 2019 and

W.M.P.No.10471 of 2019

Vanitha

.. Petitioner

Vs.

1.The District Collector,
Krishnagiri District, Krishnagiri.

2.The Authorized Officer,
M/s.National Trust Housing Finance Limited,
Door No.4, First East Main Road,
S.L.N. Plaza, Gandhi Nagar,
Katpadi - 632 006,
Vellore District. .. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of certiorarified mandamus to call for the records relating to the impugned order dated 18.12.2018 made in Na.Ka.No.21085/2018/C3 passed by the 1st respondent at the instance of the 2nd respondent and the consequential proceedings and to quash the same.

For Petitioner : Mr.C.Prabakaran

For Respondents: Mr.S.Kamalesh Kannan,

Government Advocate (R1)

ORDER

(ORDER OF THE COURT WAS MADE BY M.DURAI SWAMY, J.)

The petitioner has filed the above Writ Petition to issue a Writ of certiorarified mandamus to call for the records relating to the impugned order dated 18.12.2018 passed by the 1st respondent at the instance of the 2nd respondent and the consequential proceedings and to quash the same.

2.The petitioner has challenged the notice issued by the 1st respondent dated 18.12.2018 in an application filed under Section 14 of the SARFAESI Act calling upon

the petitioner to appear for an enquiry on 24.12.2018 at 04:00 p.m. The learned counsel appearing for the petitioner submitted that the application filed under Section 14 of the SARFAESI Act is still pending. The petitioner has only challenged the notice calling upon him to appear for an enquiry in this Writ Petition.

4.It is brought to the notice of this Court by the learned counsel for the petitioner that the petitioner had already appeared on 24.12.2018 before the 1st respondent and the matter was adjourned to some other date.

5.Since the petitioner had complied with the notice dated 18.12.2018, the relief sought for in the Writ Petition has become infructuous. That apart, the petitioner has not made out a case to interfere with the notice issued by the 1st respondent in this Writ Petition. We are not inclined to entertain the Writ Petition. Accordingly, the same is dismissed. However, we direct the 1st respondent to dispose of the application filed under Section 14 of the SARFAESI Act as expeditiously as possible. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS iv)

//True Copy//

Sub Assistant Registrar

va
To

1.The District Collector,
Krishnagiri District, Krishnagiri.

2.The Authorized Officer,
M/s.National Trust Housing Finance Limited,
Door No.4, First East Main Road,
S.L.N. Plaza, Gandhi Nagar,
Katpadi - 632 006,
Vellore District.

+1cc to Mr.C.Prabakaran , Advocate SR.No. 36369
+1 cc to Government Pleader SR.NO. 36257

W.P.No.9875 of 2019 and
W.M.P.No.10471 of 2019

A.SK(08/05/2019)