

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.06.2019

CORAM

THE HON'BLE MRS.VIJAYA K.TAHILRAMANI, CHIEF JUSTICE
AND
THE HON'BLE MR.JUSTICE M.DURAI SWAMY

W.P.No.13929 of 2019

Shriram Housing Finance Ltd.
Rep. by its Authorized Officer, Asha Lukose
No.221, 1st Floor
Royapettah High Road
Chennai - 600 004. ... Petitioner

Vs

The District Collector/Magistrate
Nagapattinam Collectorate
Nagapattinam District. ... Respondent

PRAYER: Petition under Article 226 of the Constitution of India for issuance of a writ of mandamus directing the first respondent to pass orders on the petition filed on 8.10.2018 under Section 14(1) of SARFAESI ACT within a stipulated time.

For Petitioner : Mr.Ajmal Azzath

For Respondent : Mr.S.N.Parthasarathy
Government Advocate

ORDER

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

Mr.S.N.Parthasarathy, learned Government Advocate accepts notice on behalf of 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 filed on 8.10.2018 under Section 14 (1) of the Securitization 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 Advocate appearing for the respondent.

4. Learned counsel appearing for the petitioner submitted that though the petition was filed by the petitioner on 8.10.2018, 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. Learned Government Advocate submitted that the respondent may be directed to dispose of the petition dated 8.10.2018 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 8.10.2018 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 (CJ.Conf)

//True copy//

Sub Assistant Registrar

sasi

To:
The District Collector/Magistrate
Nagapattinam Collectorate
Nagapattinam District.

+lcc to Government Pleader SR.No.44703

W.P.No.13929 of 2019

CNR (CO)
GMY (19/06/2019)