

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.06.2019

CORAM :

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

AND

The Hon'ble Mr.JUSTICE M.DURAI SWAMY

W.P. No.16523 of 2019

Andhra Bank,
Yanam Branch,
rep. by Authorised Officer TSC Kumar Babu,
Puducherry Union Territory. ... Petitioner

-vs-

1. The District Collector,
Puducherry.
2. Sri Venkatarama Agro Tech,
rep. by its Managing Partner Ch.V.V.Padmakara Chowdary,
No.6-88, Adavipole, Yanam-533 464,
U.T. of Puducherry.
3. Cherukuri Ramarao
4. Jasthi Veera Raghava Sailaja
5. Sri Venkatadri Para Boiled Unit,
rep. by its Partners Ch.V.V.S.Prabhavathi
and Ch. Rani
No.6-8-115 Adavipalem Industrial Area,
Yanam, Pin 533 464,
U.T. of Puducherry.
6. Sri Venkateswara High Tech Agro Pvt. Ltd.,
rep. by its Director Upperla Vardhana Kumari,
D.No.6-08-115, Adavipalem Industrial Area,
Yanam, Pin 533 464,
U.T. of Pondy cherry. .. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus directing the first respondent to dispose of the petition filed by the petitioner bank under Section 14 of Securitization and Reconstruction of

Financial Assets and Enforcement of Security Interest Act, 2002 on 30.06.2018 to hand over physical possession of the same to the petitioner bank.

For Petitioner	: Mr.P.Veeraraghavan
For Respondent	: Mr.C.T.Ramesh Addl. Govt. Pleader (P) for respondent No.1

ORDER

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

Mr.C.T.Ramesh, learned Additional Government Pleader (Puducherry) accepts notice on behalf of the first respondent.

2. This writ petition has been filed by the petitioner seeking a writ of mandamus directing the first respondent to pass an order on the petition dated 30.06.2018 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 Additional Government Pleader (Puducherry) appearing for the first respondent.

4. Learned counsel appearing for the petitioner submitted that though the petition was filed by the petitioner on 30.06.2018, the first 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 Additional Government Pleader (Puducherry) submitted that the first respondent may be directed to dispose of the petition dated 30.06.2018 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 first respondent to consider and pass orders on the petition dated 30.06.2018 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/-
Assistant Registrar (CS-V)

//True Copy//

Sub Assistant Registrar

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To

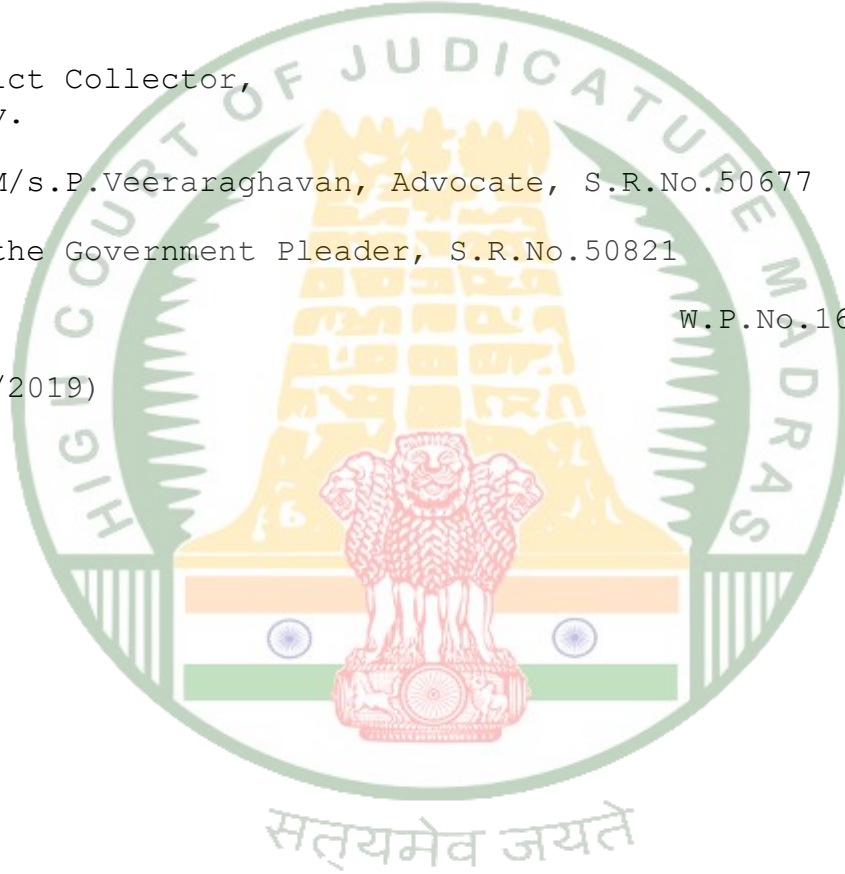
The District Collector,
Puducherry.

+1 cc to M/s.P.Veeraraghavan, Advocate, S.R.No.50677

+1 cc to the Government Pleader, S.R.No.50821

W.P.No.16523 of 2019

MP (CO)
SSM(16/07/2019)



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