



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.07.2019

CORAM :

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

AND

The Hon'ble Mr.JUSTICE M.DURAI SWAMY

W.P. No.20855 of 2019

The Authorized Officer,
South Indian Bank,
Regional Office, No.43, Ground Floor,
Hameedia Centre, Haddows Road,
Nungambakkam, Chennai-6.

.. Petitioner

-vs-

1.The District Collector
Thiruvallur District, Tamil Nadu.

2.D.A.Paneerselvam

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct the first respondent to dispose of the application dated 27.02.2019 filed under Section 14 of SARFAESI Act in respect of land and building situate at Door No.102, Utthukottai Village and Taluk, Thiruvallur District, comprised in Old Survey No.522/6A2, 525/2B, 525/2C1, 556/1B1B, New Survey Nos.522/6A2A, 525/2B1, 525/2C1B, 556/1B1B1, patta No.2776 measuring an extent of 15 cents belonging to the 2nd respondent herein.

For Petitioner : Mr.S.Arun Kumar

For Respondents : Mr.S.N.Parthasarathy
Govt. Advocate for R-1

* * * * *

O R D E R

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

Mr.S.N.Parthasarathy, learned Government Advocate, 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 orders on the application dated 27.02.2019 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').

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

4. Learned counsel appearing for the petitioner submitted that though the application was filed by the petitioner on 27.02.2019, 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 Government Advocate submitted that the first respondent may be directed to dispose of the petition dated 27.02.2019 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 27.02.2019 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/-
Joint Registrar (Judicial)

//True Copy//

sra
To

Sub Assistant Registrar

1. The District Collector
Thiruvallur District.

+1 cc to M/s.M.L.Ganesh, Advocate, S.R.No.60855
+1 cc to the Government Pleader, S.R.No.62081

W.P.No.20855 of 2019

CP(CO)
SSM(30/07/2019).