

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.09.2019

CORAM :

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

AND

The Hon'ble Mr.JUSTICE M.DURAI SWAMY

W.P.No.26514 of 2019

The Lakshmi Vilas Bank,
rep. by its Chief Manager R.Ananda Narayanan,
Chief Manager - Stressed Asset & Recovery Department,
No.53-A, South Street,
Tirukoilur Branch,
Tirukoilur - 605 757. ... Petitioner

-vs-

- 1.The District Collector,
Villupuram District,
Villupuram, Tamilnadu.
- 2.The Revenue Divisional Officer,
Villupuram District,
Vilupuram, Tamilnadu. ... Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus directing the respondents to forthwith number the application dated 23.02.2017 made by the petitioner bank under Section 14 of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 and dispose of the same in accordance with law within a time frame to be fixed by this Hon'ble Court.

For Petitioner : Mr.A.Arunbabu

For Respondents : Mr.S.N.Parthasarathi
Government Advocate

ORDER

(Order of the Court was made by M.Duraiswamy, J.)

The petitioner has filed the above writ petition to issue a Writ of Mandamus directing the respondents to forthwith number the application dated 23.02.2017 filed under Section 14 of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (for short "SARFAESI Act") and dispose of the same in accordance with law.

2. It is the case of the petitioner that though the petitioner had filed application before the first respondent under Section 14 of the SARFAESI Act as early as 23.02.2017, the first respondent has not numbered the same yet.

3. The learned counsel appearing for the petitioner submitted that a direction may be given to the first respondent to number the application dated 23.02.2017 filed by the petitioner and dispose of the same within a time frame.

4. Mr.S.N.Parthasarathi, learned Government Advocate, taking notice on behalf of the respondents, submitted that he has no objection for giving such a direction to the first respondent.

5. In view of the submission made by the learned counsel appearing on either side and taking into consideration the limited prayer sought for by the petitioner, without expressing any opinion with regard to the merits of the case, we direct the first respondent to number the application of the petitioner dated 23.02.2017, if it is in order, within a period of one week from the date of receipt of a copy of this order and dispose of the same, in accordance with law, within a period of six weeks thereafter.

6. With these observations, the writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

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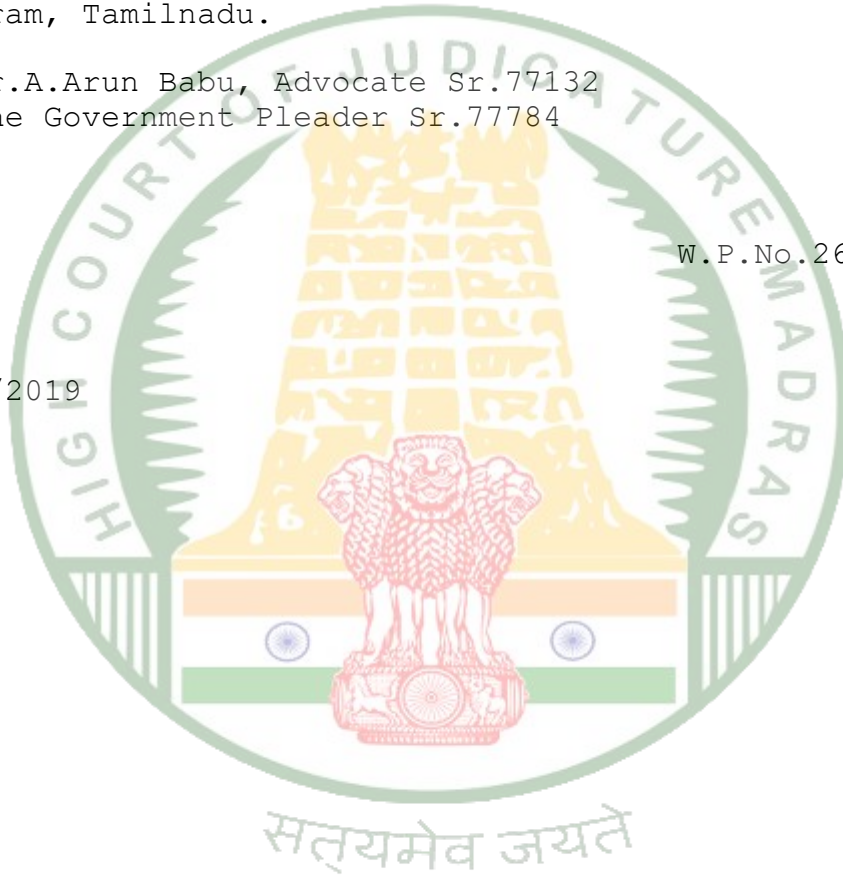
1.The District Collector,
Villupuram District,
Villupuram, Tamilnadu.

2.The Revenue Divisional Officer,
Villupuram District,
Vilupuram, Tamilnadu.

+1cc to Mr.A.Arun Babu, Advocate Sr.77132
+1cc to the Government Pleader Sr.77784

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