

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 12.12.2019

CORAM

THE HONOURABLE MR. JUSTICE M. SATHYANARAYANAN
AND
THE HONOURABLE MRS. JUSTICE R. HEMALATHA

WP.No.28829/2019

Oriental Bank of Commerce
rep.by its Chief Manager-Law
Mr.A.Ramesh Babu, Spencer Plaza
2nd Floor, 769, Anna Salai, Mount Road
Chennai 600 002.

Petitioner

Versus

1.The District Collector
The District Magistrate
Coimbatore District,
State Bank Road, Beside Police Office
Gopalapuram, Coimbatore
Tamil Nadu 641 018.

2.Shri Stalin
3.Smt.Karthika

... Respondents

PRAYER:- Writ petition filed under Article 226 of the Constitution of India prays to issue a Writ of mandamus directing the first respondent, viz., the District Magistrate/District Collector to issue appropriate orders and directions to the Tahsildar, Coimbatore Taluk or appropriate authority to take physical possession of the secured assets, namely the SF No.48/1, Perinaickenpalayam, Sarakarsamakulam Village, Coimbatore as per document No.3894/2013 within the following boundaries: East of Chinna Angappa Mudaliar, Perumal Samy properties ; West of Muthusamy property, Ramthal property & 4ft road ; North of Chinna Angappa Mudaliar property ; South of Perumal Samy house and vacant land, totally 903 sq.ft., land and building therein belonging to K.Stalin with a path way, easements, appurtenances etc.

For Petitioner : Mr.S.K.Srinivasan

For R1 : Mr.Akhil Akbar Ali, GA

ORDER

[Order of the Court was made by M.SATHYANARAYANAN,J.,]

- (1) By consent, the writ petition is taken up for final disposal. Mr.Akhil Akbar Ali, learned Government Advocate appears on behalf of the 1st respondent.
- (2) The matter in issue pertains to non-passing of the orders on the affidavit dated 09.03.2018 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) The writ petition was entertained on 01.10.2019 and it was listed on 11.11.2019 and this Court indicated that if the order passed in the said application under Section 14 of the SARFAESI Act, is not produced before this Court by the next date of hearing, the District Collector concerned shall personally remain present before this Court on that day and directed the listing of the matter on 02.12.2019.
- (4) Mr.Akhil Akbar Ali, learned Government Advocate appearing for the 1st respondent produced the proceedings of the 1st respondent dated 28.11.2019 in K.Dis.No.4468/2018/E3 and would submit that in the light of the said order, the grievance expressed by the petitioner has been addressed. The proceedings of the 1st respondent dated 28.11.2019 is taken on file and record.
- (5) The learned counsel for the petitioner would submit that insofar the petitioner - Bank is concerned, there are 13 other applications pending and that apart, three more writ petitions, viz., WP.Nos.29615, 29612 and 29616/2019 are pending and requested this Court to post those writ petitions also.
- (6) In the light of the said development, no further orders are necessary in this writ petition and therefore, the same is closed. No costs.
- (7) The Registry is directed to verify and post WP.Nos.29612, 29615 & 29616/2019 on 07.01.2020 under the caption 'for orders'.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

AP

To

The District Collector
The District Magistrate
Coimbatore District,
State Bank Road, Beside Police Office
Gopalapuram, Coimbatore
Tamil Nadu 641 018.

Copy to:
The Section Officer,
Writ Section, High Court,
Madras-104.

+1cc to the Government Pleader SR.104055

WP.No.28829/2019

RGN(CO)
CB(10/02/2020)
CB(05/03/2020)



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