

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.10.2019

CORAM :

THE HON'BLE DR.VINEET KOTHARI, ACTING CHIEF JUSTICE
AND
THE HON'BLE MR.JUSTICE C.SARAVANAN

W.P.No.29435 of 2019

HDB Financial Services Limited,
Having its Reg. Office at:
Radhika, 2nd Floor,
Law Garden Road,
Navangpura,
Ahmedabad-380 009.

Branch Office:
4th Floor, Loyal Towers,
68/2, Greams Road,
Chennai-600 006,
rep. by its Authorised Officer. ... Petitioner

-vs-

The District Collector/
The District Magistrate,
Chennai Collectorate,
Chennai District. ... Respondent

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus directing the respondent to pass orders on the petition filed on 08.06.2017 under Section 14(1) of SARFAESI Act within the time stipulated by this Hon'ble Court.

For Petitioner : Ms.D.Kalaivani
for M/s.Ajmal Azzath

For Respondent : Mr.V.Jayaprakash Narayanan
Government Pleader

ORDER

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

The petitioner, HDB Financial Services Limited, has approached this Court seeking a direction to the respondent/District Collector, Chennai District, to dispose of its petition dated 08.06.2019 filed under Section 14 of the Securitisation and Reconstruction of Financial assets and Enforcement of Security Interest Act, 2002 (in short "SARFAESI Act").

2. The respondent/District Collector, Chennai District, has called for a report from the Tahsildar, Alandur, vide its communication dated February 2019 and a copy of the same was endorsed to the petitioner. The petitioner does not seem to have pursued the matter with the District Collector thereafter, instead, it has filed the present writ petition in this Court on 26.09.2019.

3. Having heard the learned counsel for parties, we are satisfied that the petitioner should be first directed to pursue its petition under Section 14 of the SARFAESI Act with the respondent/District Collector, Chennai District. The respondent/District Collector, Chennai District, is expected to decide the said petition expeditiously as per the provisions of the SARFAESI Act itself. The petitioner may appear before the respondent/District Collector, Chennai District, in the first instance on 11.11.2019 and a period of three months is allowed to the respondent/District Collector, Chennai District, to dispose of the same.

4. With the above observation, the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To:

The District Collector/The District Magistrate,
Chennai Collectorate,
Chennai District.

+1cc to the Government Pleader Sr.86467

W.P.No.29435 of 2019

rsk[co]
srg 31/10/2019



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