

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.11.2019

CORAM:

THE HON'BLE DR. JUSTICE VINEET KOTHARI
and
THE HON'BLE MR. JUSTICE C.SARAVANAN

W.P.No.30309 of 2019

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

.... Petitioner

..Vs..

1. The District Collector cum District Magistrate
Tiruppur,
TamilNadu.
- 2.M/s.Annai Industries,
Represented by its Partner,
Mr.Vinod Kumar,
SF No.230, Ernakkalan Thottam,
Myvadi, Madathukulam Taluk,
Tiruppur-642 203.
3. Mr.Vinodkumar, Partner,
M/s.Annai Industries,
Greeshmam, No.3, Vennakkara Nurani,
Palakkad, State of Kerala - 678 004.
4. Smt.Saritha, Partner,
M/s.Annai Industries,
Greeshmam, No.3, Vennakkara Nurani,
Palakkad, State of Kerala-678 004.
5. Mr.Duraisamy, Partner,
M/s.Annai Industries,
No.64/60, Jubilee Well Street,
Raja Mill Road, Pollachi,
Coimbatore-1.

...

Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India praying for a Writ of Mandamus directing the first respondent to dispose of the application filed under Section 14 of the SARFAESI Act on 20.11.2017 within a time frame pertaining to the secured property belonging to the Respondents 3 and 4 herein.

For Petitioner : Mr.M.L.Ganesh

For Respondent : Mrs.Sri Jayanthi
Spl.G.P. (R1)
Mr.S.Kadarkarai (R2 to R5)

O R D E R

(Order of the Court made by DR.VINEET KOTHARI, J.)

The Petitioner Bank has filed this Writ Petition seeking for a direction to the the first respondent to dispose of the application filed under Section 14 of the SARFAESI Act on 20.11.2017 within a time frame pertaining to the secured property belonging to the Respondents 3 and 4 herein.

2. The learned counsel for the petitioner submitted that though the Petitioner Bank filed an application under Section 14 of the SARFAESI ACT as early as on 20.11.2017, the same has not been decided by the District Collector till date and therefore prays for a direction of this Court for the early disposal of the same.

2. The learned Special Government Pleader appearing for the first Respondent submitted that despite notice being issued to the petitioner and the borrower to appear before the District Collector they have not appeared.

3. Having heard the learned counsels for the parties we dispose of this Writ Petition by directing the Petitioner Bank and the borrower to appear before the District Collector on 03.12.2019 and the District collector is directed to dispose of the application filed by the petitioner 20.11.2017, within a period of six weeks thereafter.

4. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(Insp.cell)

//True copy//

Sub Assistant Registrar

arr

To

1. The District Collector cum District Magistrate
Tiruppur,
TamilNadu.

2.M/s. Mr.Vinod Kumar,
Annai Industries,
Partner,
SF No.230, Ernakkalan Thottam,
Myvadi, Madathukulam Taluk,
Tiruppur-642 203.

3. Mr.Vinodkumar, Partner,
M/s.Annai Industries,
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4. Smt.Saritha, Partner,
M/s.Annai Industries,
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5. Mr.Duraisamy, Partner,
M/s.Annai Industries,
No.64/60, Jubilee Well Street,
Raja Mill Road, Pollachi,
Coimbatore-1.

+1cc to Mr.M.L.Ganesh, Advocate SR.No.94216

+1cc to Government Pleader SR.No.94126

W.P.No.30309 of 2019

NMI (CO)
GMY (28/11/2019)

सत्यमेव जयते

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