

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.30044 of 2019

M/S.HDFC BANK LIMITED
Senapati Bapat Marg, Lower Parel (West)
Mumbai-400 013 and Branch office At
CEEEROS Building, No.110, 4th Floor, Nelson Manickam
Road, Aminjikarai, Chennai-600 029, Represented by its
Authorized Officer V.Karutharasan ... Petitioner

..Vs..

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

Prayer: Writ Petition filed under Article 226 of Constitution of India praying for a Writ of Mandamus directing the Respondent, the District Collector cum District Magistrate of Chennai to provide administrative assistance on an expeditious basis under Section 14 of the SARFAESI Act, 2002, to take possession of the secured Asset with respect to the Application filed by the petitioner on 25.01.2019, which is pending on the file of the Respondent.

For Petitioner : Mr.S.K.Mariyappan

For Respondent : Mrs.Sri Jayanthi
Spl.G.P.

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 Respondent, the District Collector cum District Magistrate of Chennai to provide administrative assistance on an expeditious basis under Section 14 of the SARFAESI Act, 2002, to take possession of the secured Asset with

respect to the Application filed by the petitioner on 25.01.2019, which is pending on the file of the Respondent.

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 25.01.2019, 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.

3. The learned Special Government Pleader appearing for the Respondent submitted that despite notice being issued to the petitioner and the borrower to appear before the District Collector on 29.09.2019 they have not appeared before the District Collector on the said date.

4. 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 02.12.2019 and the District collector is directed to dispose of the application filed by the petitioner 25.01.2019, within a period of six weeks thereafter.

5. 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,
Chennai Collectorate
Chennai.

2.A.M.Ganesh, S/o.Mohan,
No.27, Tank Bund Road,
Nungambakkam, Chennai-34.

3.Mrs.G.Kavitha, W/o.A.M.Ganesh,
No.27, Tank Bund Road,
Nungambakkam, Chennai-34.

4.The Authorized Officer

M/S.HDFC BANK LIMITED

Senapati Bapat Marg, Lower Parel (West)

Mumbai-400 013 and Branch office At

CEEEROS Building, No.110, 4th Floor, Nelson Manickam
Road, Aminjikarai, Chennai-600 029.

+1cc to the Government Pleader SR.94127

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NMI (CO)

CB(28/11/2019)



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