

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.10.2019

CORAM

THE HONOURABLE JUSTICE DR.VINEET KOTHARI, ACTING CHIEF JUSTICE
AND
THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.No.30641 of 2019
and W.M.P.No.30716 of 2019

Loganathan

... Petitioner

-Vs-

- 1.The District Collector,
O/oThe District Collector
Coimbatore - 18.
- 2.Canara Bank, Asset Recovery Management
Branch, Rep.by the Authorised Officer
R.S.Puram, Coimbatore - 641 002. ... Respondents

For Petitioner :Mr.I.Abrar Mohammed Abdullah

For Respondents:Mr.Kamalesh Kannan
Government Advocate - for R1

Prayer in W.P.: Writ Petition under Article 226 of the Constitution of India seeking for a writ of Mandamus forbearing the respondents from taking possession of the petitioner premises in S.F.No.785/1, Door No.33, Periyar Nagar, Kalapatti Village, Coimbatore with residential building.

O R D E R

(Order made by The Hon'ble Acting Chief Justice)

Learned Government Advocate appearing for the District Collector undertakes to supply the order passed by the District Collector under Section 14 of the SARFAESI Act (hereinafter referred to as 'the Act') during the course of the day.

2. That will be treated as sufficient service of the said order upon the petitioner, as the prayer made by the petitioner was essentially that without supplying a copy of the order under Section 14 of the Act, the possession of the property in question was forcibly sought to be taken away.

3. By recording the undertaking given by the learned Government Advocate to the aforesaid effect, we dispose of the writ petition, with a liberty to the petitioner to take further legal remedy against the order under Section 14 of the Act within a period of four weeks from today. For a period of four

weeks from today, we direct that no coercive steps shall be taken against the petitioner in the matter. If an application under Section 17 of the Act is filed against the order under Section 14 of the Act, the Debts Recovery Tribunal is requested to decide the case in accordance with law as expeditiously as possible.

4. With the above observations, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar

KST
To

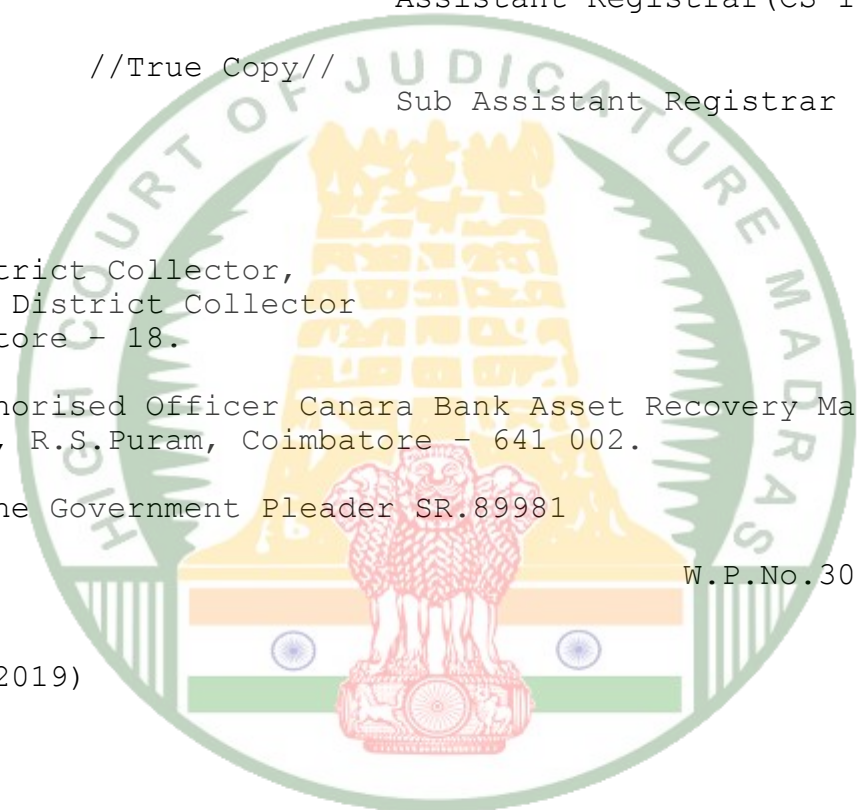
1.The District Collector,
O/oThe District Collector
Coimbatore - 18.

2.The Authorised Officer Canara Bank Asset Recovery Management
Branch, R.S.Puram, Coimbatore - 641 002.

+1cc to the Government Pleader SR.89981

W.P.No.30641 of 2019

SS(CO)
CB(02/12/2019)

The seal of the High Court of Madras is a circular emblem. It features a central yellow temple gopuram (tower) with a red lion capital on top. Below the gopuram is a red and white striped banner. The entire emblem is set against a green background with a white border. The words "HIGH COURT OF JUDICATURE MADRAS" are written in a circular path around the emblem. At the bottom, the Sanskrit motto "सत्यमेव जयते" (Satyameva Jayate) is inscribed in Devanagari script.

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