



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 12.06.2019

CORAM:

THE HONOURABLE MR. JUSTICE K. RAVICHANDRABAABU
and

WEB COPY THE HONOURABLE MR. JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P. (MD) No. 13149 of 2019

and

WMP (MD) No. 9789 of 2019

Lakshmi Vilas Bank,
Rep. by its Authorised Officer,
Thillai Nagar Branch,
C 97, Fort Station Road,
Vth Cross (West),
Thillai Nagar,
Trichy - 620 018.

: Petitioner

Vs.

The District Collector,
Trichy District.

: Respondent

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a writ of Mandamus directing the respondent to pass suitable orders in C.M.P.No.3568 of 2019 submitted by the petitioner under Section 14 of the SARFAESI Act for taking physical possession of the mortgaged property as prayed in the said petition within a time frame that may be fixed by this Court.

For Petitioner : Mr.C.Jawahar Ravindran

For Respondent : Mr.M.Karuppasamy
Government Advocate

O R D E R

[Order of the Court was made by **K. RAVICHANDRABAABU, J.**]

This writ petition is filed for Mandamus directing the respondents to pass suitable orders in C.M.P.No.3568 of 2019 filed by the petitioner under Section 14 of the SARFAESI Act for taking physical possession of the mortgaged property.

2. Heard both sides.

3. It is seen that the petitioner viz., the bank filed a petition before the respondent/District Collector under Section 14 of the SARFAESI Act, 2002, on 08.02.2019 for taking physical possession of the mortgaged property, subject matter of the SARFAESI proceedings.



4.The grievance of the petitioner is that though such petition was filed as early as on 08.02.2019, the respondent/District Collector has not passed any order on the petition filed under Section 14 of the said Act. Therefore, the petitioner seeks for a direction to the respondent to pass an order on the said petition.

5.Considering the above stated facts and circumstances and without expressing any view on the merits of the claim made by the petitioner, more particularly, in view of the fact that the present writ petition is filed only for disposal of the petition filed under Section 14 of the SARFAESI Act, before the respondent, this Writ Petition is disposed of by directing the respondent to pass orders on the said application dated 08.02.2019, within a period of four weeks from the date of receipt of a copy of this order. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(Records)

// True Copy //

Sub Assistant Registrar(CS)

rj2

To
The District Collector,
Trichy District.

+1CC TO MR.C.JAWAHAR RAVINDRAN, Advocate Sr. No.68573
+1CC TO THE SPECIAL GOVERNMENT PLEADER SR.No. 68469

Order made in
W.P. (MD) No.13149 of 2019
and
WMP (MD) No.9789 of 2019
Dated: 12.06.2019

NSN (CO)
TR (26.06.2019) 2P 4C