



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 14.06.2019

CORAM:

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU
and

WEB COPY THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P. (MD) No.13453 of 2019

and

WMP (MD) No.10002 of 2019

Lakshmi Vilas bank,
Rep. by its Authorized Officer,
Mahadhanapuram Branch,
No.1-2-85/1, East Agraharam,
Mahadhanapuram,
Karur District - 639 106.

: 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.3567/2019 submitted by the petitioner under Section 14 of SARFAESI Act for taking physical possession of the mortgaged properties of the borrower / guarantor 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.**]

Mr.M.Karuppasamy, learned Government Advocate takes notice for the respondent.

2.By consent, the main Writ Petition itself is taken up for final disposal at the admission stage itself.

3.The petitioner seeks for Mandamus directing the respondent to pass orders on the application filed under Section 14 of SARFAESI Act for taking physical possession of the mortgaged properties of the borrower / guarantor.

<https://hcservices.ecourts.gov.in/hcservices/>

4.Heard both sides.



5.It is stated that the petitioner bank has initiated a SARFAESI proceedings against the borrower and consequently they issued possession notice, dated 23.01.2019 under Section 13(4) of the SARFAESI Act to the borrower. It is further seen that they approached the respondent and filed a petition under Section 14 of the said Act on 08.02.2019 for taking physical possession.

6.The grievance of the petitioner is that the said application has not been considered by the respondent so far. Thus the present writ petition is filed for the relief as stated supra. Since the relief sought for in this writ petition is for directing the respondent to pass orders on the application filed by the petitioner under Section 14 of the SARFAESI Act, this Court, without expressing any view on the merits of the matter, directs the respondent to pass orders on the said application, dated 08.02.2019 on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

7.The Writ Petition is disposed of accordingly. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

Sub Assistant Registrar (CS)

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To

The District Collector,
Trichy District.

+ 1 CC TO Mr.C.Jawahar Ravindran, ADVOCATE IN SR No.69121
+ 1 CC to The Special Government Pleader SR.No.68784

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KS (24.06.2019) 2 P 4 C