



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.09.2019

CORAM:

THE HONOURABLE Mr.JUSTICE T.S.SIVAGNANAM

AND

THE HONOURABLE Mrs.JUSTICE R.THARANI

W.P. (MD).No.20997 of 2019

and

W.M.P. (MD).No.17594 of 2019

WEB COPY

The Authorized Officer,
The Lakshmi Vilas Bank,
Srirangam Branch,
No.100/A, Gandhi Road,
Srirangam,
Trichy District.

... Petitioner

Vs.

1. The District Magistrate cum Collector
Trichy District,
Collectorate Building,
Cantonment,
Trichy-620 001.

2. The Sub-Collector,
Srirangam Division,
Dindigul Main Road,
Navalurkottapattu,
Trichy-620 009.

3. The Additional District Magistrate,
Collectorate Building,
Cantonment,
Trichy-620 001.

4. The Tahsildar,
Srirangam Taluk Office,
Chennai Trunk Road,
Tiruvanaikoil,
Trichy-620 005.

... Respondents

PRAYER: This petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to execute the order made in K.Dis/G5 13875/2018 dated 10.06.2019 on the file of the 1st respondent and consequently direct the respondents to take physical possession of the Mortgaged properties of the borrowers and hand over the same to the petitioner Bank within a time frame fixed by this Court.



For Petitioner : Mr.S.I.Muthiah
For Respondents : Mr.A.Muthkaruppan
Additional Government Pleader

ORDER

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(Order of this Court was made by **T.S.SIVAGNANAM, J**)

Heard Mr.S.I.Muthiah, learned counsel appearing for the petitioner and Mr.A.Muthkaruppan, learned Additional Government Pleader appearing for the respondents.

2.By consent on either side, this writ petition is taken up for disposal.

3.The petitioner is a scheduled bank, which has approached this Court to direct the District Collector to implement its order dated 10.06.2019 passed under Section 14 of the SARFAESI Act and take over the possession of the property, which was sold on public auction. Two orders have been passed by the District Collector, the first of which dated 12.01.2019 and the second is dated 10.06.2019.

4.The learned Additional Government Pleader appearing for the respondents submitted that expeditious action will be taken in accordance with law to implement the orders passed by the District Collector.

5.In the light of the above, we dispose of the writ petition by directing the District Collector, to take effective steps to recover the possession of the property, pursuant to the order passed by him dated 12.01.2019 and 10.06.2019, if there are no other legal impediments. This direction will be complied with within a period of two months from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (co)

// True Copy //

Sub Assistant Registrar(CS)

To

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+5 CC to Mr.S.I. MUTHIAH, Advocate (SR-90587[F] dated 01/10/2019)

+1 CC to SPL GP (SR-90907[F] dated 01/10/2019)

W.P. (MD) .No.20997 of 2019

and

W.M.P. (MD) .No.17594 of 2019

30.09.2019

Ns

VB 16/10/2019/ 3P 11C