



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.11.2019

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM
and
THE HONOURABLE MRS.JUSTICE R.THARANI

W.P (MD)No.25404 of 2019

State Bank of India,
Represented by its
Chief Manager / Authorised Officer,
Madhurarum Complex,
No.2, Ambedkar Road,
Madurai-2.

.. Petitioner

Vs.

The District Collector / The District Magistrate,
Madurai District, Madurai.

.. Respondent

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, to direct the respondent to pass order in the proceedings No.Roc.No.C3/16667/2018, March 2018 for taking over the physical possession of the mortgaged property bearing Plot No.103 LIG-II admeasuring an extent of 90 Sq.mtrs comprised in S.No.85 part of Thopur Village, Madurai South Registration Office, Madurai Under Section 14 of the SARFAESI Act filed by the Bank.

For Petitioner : Mr.V.P.Rajan

For Respondent : Mr.A.K.Baskara Pandian
Special Government Pleader

ORDER

[Order of the Court was made by **T.S.SIVAGNANAM, J.**]

Heard Mr.V.P.Rajan, learned counsel appearing for the petitioner and Mr.A.K.Baskara Pandian, learned Special Government Pleader, who accepts notice on behalf of the respondent. By consent on either side, this writ petition is taken up for final disposal at the stage of admission itself.

2. The petitioner, State Bank of India seeks direction upon the respondent to consider the application filed under Section 14 of

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



the SARFAESI Act, which is stated to be pending for about one year.

3. We are aware of the fact that the District Collector has multiple activities and has busy schedule. Nevertheless, since the statute has conferred the power to the District Collector to exercise jurisdiction under Section 14 of the Act, the same has to be taken note and considered by the District Collector.

4. Hence, this writ petition is disposed of by directing the District Collector to take note of the petition filed by the petitioner Bank under Section 14 of the SARFAESI Act and pass orders as expeditiously as possible. No costs.

Sd/-

Assistant Registrar (CrI.Side)

// True Copy //

Sub Assistant Registrar(CS)

ta

To

The District Collector / The District Magistrate,
Madurai District, Madurai.

+1 CC to M/s.SPL GP (SR-102675[F] dated 29/11/2019)

+1 CC to M/s.V.P. RAJAN, Advocate (SR-102658[F] dated 29/11/2019)

W.P(MD)No.25404 of 2019

28.11.2019

JMN(19.12.2019) 2P : 4C