

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 28.01.2020

CORAM

THE HONOURABLE MR. JUSTICE M. SATHYANARAYANAN
AND
THE HONOURABLE MRS. JUSTICE R. HEMALATHA

WP.No.35799/2019

JM Financial Asset Reconstructions Co.Ltd
[formerly known as JM Financial Asset Reconstruction
Company Private Limited], Having its registered
Office at 7th Floor, Cnergy, Appasaheb Marathe
Marg, Prabhadevi, Mumbai 400 025. ... Petitioner
Rep by Ashlesh Bal Authorised Officer

Versus

The District Collector cum District Magistrate
Vazhudavoor Road, Pettaiyanchathiram
Puducherry 605009. ... Respondent

PRAYER:- Writ Petition filed under Article 226 of the
Constitution of India praying for issuance of a writ of mandamus
directing the District Collector cum District Magistrate,
Puducherry the respondent herein to consider the application
dated 30.03.2016 filed by the petitioner under Section 14 of the
Securitisation and Reconstruction of Financial Assets and
Enforcement of Security Interest Act, 2002, within the time
frame as prescribed under the provisions of the SARFAESI Act.

For Petitioner : Mr.R.Sugumaran

For Respondent : Mrs.V.Usha, AGP [Pondy]

ORDER

[Order of the Court was made by M.SATHYANARAYANAN,J.,]

(1) By consent, the writ petition is taken up for final disposal.

(2) Heard the submissions of the learned counsel for the
petitioner and the grievance expressed by the petitioner is
that despite the application submitted by the petitioner for
taking actual physical possession of the secured assets by
invoking the provisions under Section 14[1] of the
Securitisation and Reconstruction of Financial Assets and
Enforcement of Security Interest Act, 2002, the respondent did

not choose to pass orders and hence, the petitioner is constrained to approach this Court by filing this writ petition.

(3)When the matter was listed for admission on 08.01.2020, Mrs.V.Usha, learned Additional Government Pleader [Puducherry] accepted notice on behalf of the respondent and sought time to get instructions.

(4)When the matter is listed today, it is represented by learned Additional Government Pleader [Puducherry] appearing for the respondent that the respondent has passed an order on 25.01.2020 in Reference No.4424/DRDM/C3/SARGAESI/2016 and in support of the same, she has also filed a counter affidavit dated 27.01.2020 to that effect. The said proceedings of the respondent along with the counter affidavit are taken on file and record.

(5)In the light of the said development, nothing remains for further adjudication in this writ petition.

(6)Accordingly, the writ petition stands closed. No costs.

-s/d-

Assistant Registrar (CS-IV)

True Copy

Sub-Assistant Registrar

To

The District Collector cum District Magistrate
Vazhudavoor Road, Pettaiyanchathiram
Puducherry 605 009.

+1 Cc to Mr.A.V. Arun, Advocate sr 6806.

+1 CC to The Govt. Pleader sr 6510.

WEB COPY

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RSV (CO)
SP (25/02/2020)