



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.02.2020

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WEB COPY

**THE HONOURABLE MR.JUSTICE M.DURAI SWAMY
AND
THE HONOURABLE MR.JUSTICE T.RAVINDRAN**

W.P(MD)No.697 of 2020

M/s HDB Financial Services Ltd.,
represented by its Associate Legal
K.Raja.

... Petitioner

Vs.

1.The District Collector cum District Magistrate,
Madurai District,
Madurai.

2.The Tahsildar,
Madurai North Taluk,
Madurai.

3.Subburam

4.M/s Mahatma Brain and Spine Centre,
K.K.Nagar,
Madurai.

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus directing the second respondent to implement the order of the first respondent passed vide proceedings in Roc.No.C6/545439/2017, dated 24.12.2018 under Section 14 of SARFAESI Act, within a time frame as fixed by this Court.

For Petitioner : Mr.M.Karunanithi

For Respondents : Mr.J.Gunaseelan Muthiah
Additional Government Pleader
for R.1 and R.2

: Mr.M.Ajmal Khan'
for R.3



ORDER

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

The petitioner Bank has filed the above writ petition to direct the second respondent to implement the order of the first respondent dated 24.12.2018 passed under Section 14 of SARFAESI Act.

2. By order dated 24.12.2018, the first respondent directed the Tahsildar to take possession of the secured asset and hand over the same to the petitioner Bank. Though the order was passed as early as on 24.12.2018, the authorities have not taken the possession of the property so far.

3. The learned Counsel appearing for the third respondent submitted that he would settle the entire dues to the petitioner Bank within a period of four weeks and therefore taking of possession may be deferred for a period of four weeks.

4. Since the first respondent had passed the order in the application filed under Section 14 of the SARFAESI Act as early as on 24.12.2018, we direct the second respondent to implement the order of the first respondent within a period of four weeks from the date of receipt of a copy of this order.

5. With the above observations, the Writ Petition is disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar (Writs)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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To

1.The District Collector cum District Magistrate,
Madurai District, Madurai.

2.The Tahsildar,
Madurai North Taluk, Madurai.

+1 CC to M/s.M.KARUNANITHI, Advocate (SR-8670[F] dated 27/02/2020)
+1 CC to M/s.SPL.GP (SR-8764[F] dated 27/02/2020)

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JMN(10.03.2020) 2P : 5C

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