

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.03.2021

CORAM :

THE HON'BLE MR.SANJIB BANERJEE, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.No.5508 of 2021

M/s.Shriram Housing Finance Ltd.
123 Angappa Naicken Street
Chennai 600 001.

Head office at
Level 3, Wockhardt Towers,
East Wing Bandra Kurla Complex,
Mumbai 400 051.

Having Branch Office at
Meenakshi Towers No.13
Rajamannar Street
Ground Floor T.Nagar
Chennai 600 017

Rep. Through its Authorized Officer,
A.Saravana Kumar

... petitioner

Vs

1 The Thaisldar
Vandaloor Taluk Chengalpattu District.

2 The Revenue Officer
Guduvanchery.

3 The District Magistrate and
District Collector
Kancheepuram District.

... respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the 1st and 2nd Respondent to expeditiously dispose of the representation made by the petitioner dated 23/11/2020 as regards the execution order dated 22/11/2019 in Ref.No.Rc.M3/13598 /2018 passed by the 3rd Respondent.

For Petitioner : Mr.V.Balasubramani

For Respondents: Mr.K.S.Suresh
Government Advocate

ORDER

(made by the Hon'ble Chief Justice)

The petitioner is a secured creditor who has obtained an order under Section 14 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002, from the District Collector, Kanchipuram.

2. Such order of November 22, 2019 directs the Superintendent of Police, Kanchipuram, to provide adequate protection to the Tahsildar Chengalpattu, for the purpose of the Tahsildar assisting in the possession of the property to be taken over by the financial institution.

3. The petitioner has made a written representation to the relevant Tahsildar on November 23, 2020 and seeks a direction on such Tahsildar to carry out the order passed by the District Collector.

4. Mr.K.S.Suresh, learned Government Advocate, appearing on behalf of the official respondents takes notice.

5. W.P.No.5508 of 2021 is disposed of by directing the Tahsildar, Chengalpattu, to take immediate appropriate action on the basis of the order dated November 22, 2019, passed by the District Collector. The Tahsildar will be entitled to seek police protection from the relevant Superintendent of Police, who shall be obliged to render such assistance when sought. It is hoped that the process of handing over possession of the secured asset is completed by the end of April, 2021.

6. There will be no order as to costs.

Sd/-
Asst.Registrar (CS VI)

/true copy/

Sub Asst. Registrar

tar

To:

- 1 The Thaisldar
Vandaloor Taluk Chengalpattu District.
 - 2 The Revenue Officer, Guduvanchery.
 - 3 The District Magistrate and District Collector,
Kancheepuram
- +1 cc to Mr.V.balasubramani Advocate srl4669
+1 cc to Government pleader srl4895

W.P.No.5508 of 2021

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