

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.02.2021

CORAM :

The Hon'ble Mr.SANJIB BANERJEE, THE CHIEF JUSTICE

AND

The Hon'ble Mr.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.No.2801 of 2021

Indiabulls Housing Finance Limited
Rep. by its Authorised Officer, H.Prathik. ..Petitioner

-vs-

1.The Chief Judicial Magistrate,
Coimbatore.

2.S.T.Vijaykumar

3.V.Rupa

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct the 1st respondent to issue Warrant to the Advocate Commissioner Mr.P.Vijay to take necessary steps to take possession of the secured assets of the 2nd and 3rd respondents in pursuant to the order dated 03/03/2020 passed in Cr.M.P.No.168 of 2020 on the file of the 1st respondent and to hand over the secured assets to the secured creditor/the petitioner company.

For Petitioner : Mr.T.Sai Krishnan

सत्यमेव जयते
ORDER
(Made by The Hon'ble Chief Justice)

In view of the order proposed to be made, no prior notice is required to be served on the respondents. However, the writ petitioner will be obliged to immediately forward copies of the petition and this order to all the respondents.

2. The petitioner complains of appropriate steps not being taken by the first respondent.

3. According to the petitioner, the office of the first respondent is vacant, but some other official has been designated to discharge the duties of such office.

4. Without going into the merits of the petitioner's claim, the writ petition is disposed of by requesting the first respondent or any official deputizing as the Chief Judicial Magistrate to act in accordance with the mandate of Section 14 of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 and take immediate expeditious steps in accordance with law.

5. At any rate, the first respondent or any official discharging the duties of the first respondent must look into the matter and pass an appropriate direction within four weeks from date.

W.P.No.2801 of 2021 is disposed of. There will be no order as to costs.

Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

The Chief Judicial Magistrate,
Coimbatore.

+1cc to Mr.Sai Krishna, Advocate SR.NO.7458

AKM/23.02.21/ 2P-3C/

W.P.No.2801 of 2021
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सत्यमेव जयते

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