



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.07.2021

CORAM :

THE HON'BLE MR.SANJIB BANERJEE, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.No.14468 of 2021

The Authorized Officer,  
South Indian Bank Limited, Regional Office  
No.43, Ground Floor, Hameedia Centre,  
Haddows Road, Nungambakkam,  
Chennai - 6.

... Petitioner

-vs-

1.The Hon'ble Chief Judicial Magistrate.  
Tirupur. Tamil Nadu.

2.M/s.Asia Pacific International,  
Door No.736, P.N.Road,  
Tirupur 641 602.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the 1<sup>st</sup> respondent to dispose of the application filed under Section 14 of SARFAESI Act on 28/12/2020 within a time-frame.

For Petitioner : Mr.M.L.Ganesh

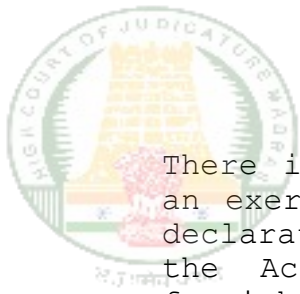
ORDER

(Made by the Hon'ble Chief Justice)

This is another petition seeking a direction on the authority approached with a request under Section 14 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 to dispose of such request expeditiously.

2. It appears that the petitioning secured creditor invoked Section 14 of the said Act by a written request of December 28, 2020.

3. As indicated in several previous orders, it is imperative that authorities in receipt of requests under Section 14 of the said Act should take expeditious steps in the matter.



There is no process of adjudication involved in course of such an exercise. The relevant authority has merely to see whether declarations in accordance with the provisions of Section 14 of the Act have been furnished. Once the declarations are furnished, the authority approached has to accept the same at face value and proceed to render such executive assistance as may be necessary and reasonable.

4. There is no doubt that the second surge of the pandemic impeded in the requisite assistance being provided to this petitioner.

5. W.P.No.14468 of 2021 is disposed of requesting the Chief Judicial Magistrate, Tirupur, to dispose of the petitioner's request of December 28, 2020 in accordance with law, as expeditiously as possible and, preferably, within four weeks of the receipt of a copy of this order. There will be no order as to costs.

Sd/-  
Assistant Registrar (CS-I)

//True copy//

Sub Assistant Registrar

sra

To:

1.The Hon'ble Chief Judicial Magistrate.  
Tirupur. Tamil Nadu.

W.P.No.14468 of 2021

RLD(CO)  
GMV(02/08/2021)