



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.09.2021

CORAM :

THE HON'BLE MR.SANJIB BANERJEE, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKESSAVALU

W.P.No.20102 of 2019

1. Prashantakumar Maiti
2. Sumitra Maity

...Petitioners

Vs.

1. The District Collector,
Collectorate, Coimbatore 641 018.

2. The Authorised Officer,
M/s.Karur Vysya Bank Limited,
Oppanakara Street, Coimbatore 641 018.

...Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the 2nd respondent to refund the sale amount of Rs.1,01,70,000/- with interest in respect of property situated at Old T.S.No.7/3100, 7/3101 and New T.S.No.7/139/1 site No.9 of Ramakrishnapuram, Southern side of Chokkampudur road, Kumarapalayam Village, Coimbatore Taluk with extent of 1755 sq. feet land along with construction of two floors.

For the Petitioners : Mr.P.Saravanan

For the Respondents : Mr.P.Muthukumar
State Government Pleader
for respondent no.1

: Ms.Uma Sudha
for respondent no.2

ORDER

(Order of the Court was made by The Hon'ble Chief Justice)

The grievance of the petitioners is that despite the petitioners purchasing a property from the respondent secured creditor at an e-auction conducted under the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 in the year 2018, possession of the property



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5. It appears that the interest of the petitioners would be best served if the District Collector, Coimbatore is directed to dispose of the respondent bank's request under Section 14 of the said Act filed on November 17, 2017 as expeditiously as



possible, and, preferably within four weeks of the receipt of a copy of this order. It will be open to the petitioners and the respondent bank to bring this order to the notice of the first respondent immediately, and the bank will be obliged to do so within a week from date. The bank should also forward copies of previous orders of this Court indicating the duties of authorities in receipt of requests under Section 14 of the said Act. It is hoped that the petitioners' grievance is taken care of upon appropriate assistance being rendered by the first respondent to the respondent secured creditor. However, any further grievance of the petitioners would have to be carried to the appropriate Debts Recovery Tribunal in accordance with law.

6. W.P.No.20102 of 2019 is disposed of without any order as to costs. W.M.P.No.19572 of 2019 is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To:

1. The District Collector,
Collectorate,
Coimbatore 641 018.
2. The Authorised Officer,
M/s.Karur Vysya Bank Limited,
Oppanakara Street,
Coimbatore 641 018.

+1cc to Mr.P.Saravanan, Advocate, S.R.No.45580
+1cc to the Government Pleader, S.R.No.45502

W.P.No.20102 of 2019

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NSK 14/09/2021