



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 13.12.2021

CORAM:

THE HON'BLE MR. JUSTICE M.DURAI SWAMY
AND
THE HON'BLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

W.P.No.26475 of 2021

R.Sundaresh

... Petitioner

Vs.

1.The District Collector/The District Magistrate,
Tiruppur,
Tiruppur District.

2.The Authorized Officer,
Canara Bank,
No.166, ARM Branch,
Thiruvengkatasamy Road West,
Coimbatore - 641 002.

3.M.Jothimani

4.M.Bharath

... Respondents

Petition filed under Article 226 of the Constitution of India praying to issue Writ of Mandamus to direct the 1st respondent to pass final order in L.Dis. No.7446/2019/C3 dated 06.05.2021 on the file of the 1st respondent filed by the 2nd respondent under Section 14 of the SARFAESI Act and consequently direct the respondents to immediately hand over the physical possession of the petitioner property in S.F.No.249/1, Site No.5, Tottipalayam Village, Vadivel Nagar, Tiruppur Taluk, Tiruppur District measuring about 5940 sq.ft. of land.

For Petitioner : Mr.G.Rajesh

For Respondents : Mr.P.Muthukumar,
Government Pleader (R1)



WEB COPY

O R D E R

(Order of the Court was made by M.DURAI SWAMY, J.)

The petitioner has filed the above Writ Petition to issue a Writ of Mandamus to direct the 1st respondent to pass a final order in the application dated 06.05.2021 filed under Section 14 of the SARFAESI Act.

2.It is not in dispute that the 2nd respondent has filed an application under Section 14 of the SARFAESI Act as early as on 06.05.2021 to direct the private respondents to immediately hand over the physical possession of the property in S.F.No.249/1, Site No.5, Tottipalayam Village, Vadivel Nagar, Tiruppur Taluk, Tiruppur District measuring about 5940 sq.ft. of land.

3.It is brought to the notice of this Court that the 1st respondent has not passed the order in the said application, though SARFAESI Act prescribes 60 days time for the disposal of the application.

4.Mr.P.Muthu Kumar, learned Government Pleader taking notice for the 1st respondent submitted that the 1st respondent would pass orders in the application filed under Section 14 within a period of four weeks.

5.Having regard to the submissions made by the learned counsel on either side, we direct the 1st respondent to pass orders in the application filed under Section 14 of the SARFAESI Act by the 2nd respondent, on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

6.With these observations, the Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar



va

To

WEB COPY

1.The District Collector/The District Magistrate,
Tiruppur,
Tiruppur District.

2.The Authorized Officer,
Canara Bank,
No.166, ARM Branch,
Thiruvenkatasamy Road West,
Coimbatore - 641 002.

+1cc to M/s.G.Rajesh, Advocate Sr.66317

W.P.No.26475 of 2021

rr[col
srg 14/12/2021