



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.02.2022

CORAM :

THE HON'BLE MR. JUSTICE M.DURAI SWAMY
AND
THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

W.P.No.2036 of 2022

M/s.Mahindra Rural Housing Finance Limited
rep by its Authorized Signatory,
B. Ramesh, Deputy Manager,
Having Registered Office at No.621
SIRE Mansion, 2nd Floor,
Anna Salai, Above Khivraj Maruti Showroom,
Chennai - 600 006.

.. Petitioner

Vs.

1. The District Collector,
District Collector's Office,
Vellore.
2. V.Manikandan
3. M.Menaha
4. The District Collector,
Ranipet.

.. Respondents

(R4 - suo motu impleaded as R4 vide order dated 10.02.2022 made in W.P.No.2036 of 2022)

Petition filed under Article 226 of the Constitution of India praying for issuance of writ of mandamus directing the District Collector, Vellore and dispose of the application in No.NaKa.C1/18468/2018 dated 21.08.2018 within the time frame fixed by this Court.

For Petitioner : Ms.A.S.Neela Narayani

For Respondents: Mr.R.U.Dinesh Rajkumar,
Additional Government Pleader (R1 & R4)

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 Writ of Mandamus to direct the District Collector, Vellore to dispose of the application dated 21.08.2019 within a time frame.



2.The petitioner - Housing Finance has filed an application under Section 14 of the Securitisation & Reconstruction of Financial Asset & Enforcement of Security Interest Act, 2002 (in short 'SARFAESI') before the 1st respondent on 21.08.2018. However, the same has not yet been disposed of by the 1st respondent.

3.The learned counsel appearing for the petitioner submitted that though the petitioner filed the application under Section 14 of the SARFAESI as early as on 21.08.2018, the 1st respondent has not disposed of the same.

4.On a perusal of Section 14 of the SARFAESI Act, it is clear that the District Collector should dispose of the application under Section 14 of the SARFAESI Act within a period of sixty days from the date of presentation of the application.

5.In the case on hand, though the application is pending for more than three years, the 1st respondent has not passed any order in the said application.

6.Mr.R.U.Dinesh Rajkumar, learned Additional Government Pleader taking notice for the 1st respondent submitted that after bifurcation of Vellore District, now the application is pending before the District Collector, Ranipet.

7.In these circumstances, the District Collector, Ranipet is suo motu impleaded as 4th respondent in the Writ Petition.

8.Mr.R.U.Dinesh Rajkumar, learned Additional Government Pleader takes notice for the impleaded 4th respondent.

9.In these circumstances, without expressing any opinion with regard to the merits of the matter, we direct the 4th respondent to consider the petitioner's application dated 21.08.2018 filed under Section 14 and pass orders, on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar



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To

1. The District Collector,
District Collector's Office,
Vellore.

2. The District Collector,
Ranipet.

+lcc to Ms.A.S.Neela Narayani, Advocate, S.R.No.8594

+lcc to the Government Pleader, S.R.No.9007

W.P.No.2036 of 2022

GPL (CO)
CT 20/04/2022