



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.02.2022

CORAM :

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

W.P.NO.27288 OF 2021
AND
W.M.P.NO.2254 OF 2022

JM Financial Asset Reconstruction Co. Ltd.,
having its Registered Office at 7th Floor, Cnergy,
Appasaheb Marathe Marg,
Prabhadevi, Mumbai - 400 025
and also at 40/1A, 4th Floor,
Basappa Complex, Lavelle Road,
Bengaluru - 560 001.
represented by Mr.Ashlesh Bal,
Authorized Officer.

.. Petitioner

Vs.

1. The District Collector-cum-
District Magistrate,
Puducherry District,
Union Territory of Puducherry.
2. The Deputy Collector,
Revenue (North),
Puducherry.
3. The Tahsildar,
Taluk Office, Puducherry.
4. JB Aluminium Extrusion,
rep by Mr.S.Jayaprakash,
R.S.No.243, Thirukanchi Road,
Odiampet Village,
Puducherry - 605 110.
5. S.Jayaprakash
6. Kanmani @ Pramila
7. K.Jayanthi



8. Dr.M.Anwer Bash

9. S.Jayamurugan

.. Respondents

(R4 to R9 impleaded vide order dated 08.02.2022 made in W.M.P.No.642 of 2022 in W.P.No.27288 of 2021)

Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of mandamus to direct the respondents to render assistance to the petitioner for taking possession of the secured assets under Section 14 of the SARFAESI Act while implementing the order made in proceedings bearing No.4424/DRDM/C3/SARFAESI/ 2016 dated 25.01.2020 on the file of the 1st respondent within a time frame.

For Petitioner : Mr.A.V.Arun

For Respondents : Mrs.N.Mala,
Government Pleader
(Puducherry) (R1 to R3)
Mr.R.Sreedhar (R5)

O R D E R

(ORDER OF THE COURT WAS MADE BY M.DURAI SWAMY, J.)

By order dated 02.02.2022, the Division Bench of this Court directed the official respondents to implement the order passed by the 1st respondent under Section 14 of the Securitisation & Reconstruction of Financial Asset & Enforcement of Security Interest Act, 2002 (in short 'SARFAESI') and report compliance of the same today (i.e.) 08.02.2022.

2.When the Writ Petition is taken up for hearing, Mr.A.V.Arun, learned counsel appearing for the petitioner and Mrs.N.Mala, learned Government Pleader (Puducherry) appearing for the respondents 1 to 3 submitted that the respondents have complied with the orders of this Court by taking possession of the mortgaged property and handing it over to the secured creditors.

3.In view of the submissions made by the learned counsel on either side, the Writ Petition stands closed.

4.The learned counsel for the 5th respondent submitted that the 5th respondent has filed an appeal before the Debt Recovery Appellate Tribunal, Chennai in A.I.R.(SA).No.138 of 2021 and in



the event of the Appellate Tribunal numbering the appeal, a direction may be given to the Appellate Tribunal to dispose of the same expeditiously.

5. In view of the submission made by the learned counsel for the 5th respondent, in the event of the Debt Recovery Appellate Tribunal, Chennai, numbering the appeal in A.I.R.(SA).No.138 of 2021, the Appellate Tribunal may consider disposing of the same, in accordance with law, as expeditiously as possible.

Sd/-
Assistant Registrar(CS-VII)

//True Copy//

Sub Assistant Registrar

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To

1. The District Collector-cum-
District Magistrate,
Puducherry District,
Union Territory of Puducherry.
2. The Deputy Collector,
Revenue (North),
Puducherry.
3. The Tahsildar,
Taluk Office, Puducherry.
4. The Debt Recovery Appellate Tribunal,
Chennai.

+1cc to M/s.R.Sugumaran, Advocate, S.R.No.8491

+1cc to the Government Pleader(Pondicherry), S.R.No.8199

W.P.No.27288 of 2021
and W.M.P.No.2254 of 2022

SSN(CO)
RLP(06/04/2022)