



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.03.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

and

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P(MD)No.4145 of 2022

Mrs.S.Devirani

... Petitioner

vs.

1.The Authorized Officer,
Bank of Baroda,
Annanagar Branch,
HIG 16, 80 feet Road,
Annanagar, Madurai District.

2.The District Collector,
O/o. District Collectorate,
Madurai District, Madurai.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, by directing the respondents to implement the order and take physical, actual, vacant possession of the property comprised in R.S.No.49/1, Plot No.21, Rasi Jai Garden, Kodikulam 2nd Street, Surya Nagar, Madurai Town, Madurai District, on the basis of the order passed by the 2nd respondent dated 28.11.2018 under Section 14 of SARFAESI Act 2002 and to hand over the possession to the petitioner within a short span of time as may be fixed by this Hon'ble Court.

For Petitioner	: Mr.M.Ponniah
For R1	: Mr.M.Prakash
For R2	: Mr.L.Saji Bino
	Special Government Pleader

ORDER

R.SUBRAMANIAN, J.

AND

N.SATHISH KUMAR, J.

The petitioner who is the successful bidder in an auction held under SARFAESI Act, seeks a direction to the respondents to put her in physical possession of the property.

2. Admittedly, the appeal against the order passed in the SARFAESI application is pending before the Debts Recovery Appellate Tribunal, Chennai, in R.A(SA)No.66 of 2019. It is open to the petitioner to approach the DRAT, Chennai, seeking early hearing of R.A(SA)No.66 of 2019. If any such application is filed, DRAT, Chennai, is required to consider the same on priorities.



3. With that liberty, this Writ Petition is dismissed. No costs.

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Sd/-

Assistant Registrar (AS)

/ /2022

Sub Assistant Registrar(CS)

To

1 The District Collector,
O/o. District Collectorate,
Madurai District, Madurai.

2 The Registrar,
Debts Recovery Appellate Tribunal,
Chennai.

+1 CC to M/s.M.PONNIAH, Advocate (SR-10793[F] dated 09/03/2022)

+1 CC to M/s.M.PRAKASH, Advocate (SR-11067[F] dated 10/03/2022)

ORDER MADE IN
W.P(MD).No.4145 of 2022
DATED : 09.03.2022

_SS/22.03.2022 : 2P/5C