



W.P(MD)No.17373 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.08.2023

CORAM :

**THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE
AND
The HON'BLE MR.JUSTICE C.KUMARAPPAN**

W.P(MD)No.17373 of 2023

M/s.Can Fin Homes Ltd.,
Rep. by its Authorised Officer,
Mr.Shiva VR

... Petitioner

Vs.

1.The District Magistrate cum Collector,
Trichy District,
Collectorate Building,
Cantonment,
Trichy – 620 001.

2.The Tahsildar,
Mannachanallur Taluk Office,
Mannachanallur,
Trichy – 620 005.

.. Respondents

PRAYER: Petition under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus directing the respondents to execute the order passed in K.Dis.G5/25515/2018 dated 20.04.2023 on the file of the first respondent and consequently, direct the respondents to take physical possession of the mortgaged property of the borrower and hand over the same to the petitioner company within a time frame fixed by this Court.



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For Petitioner : Mr.I.Muthiah

For Respondents : Mr.D.Sachikumar,
Additional Government Pleader

ORDER

[Order of the Court was made by The Hon'ble CHIEF JUSTICE]

We have heard Mr.I.Muthiah, learned counsel for the petitioner and Mr.D.Sachikumar, learned Additional Government Pleader for the respondents.

2. It is submitted that the borrower had filed a writ petition wherein the borrower was directed to pay the amount in two installments. As such, the Tahsildar did not take further action pursuant to the order under Section 14 of the SARFAESI Act, 2002. The borrower did not comply the same. He has filed an application for extension. No orders are passed in that.

3. The learned Additional Government Pleader, on instructions, submits that if no stay is operating, the Tahsildar would implement the order under Section 14 of the SARFAESI Act, 2002, within fifteen days from today.



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4. In view of that, the writ petition is disposed of. No Costs.

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(S.V.G., CJ.)

(C.K., J.)

30.08.2023

NCC : Yes/No
Index : Yes/No
PM

To:

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- 2.The Tahsildar,
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THE HON'BLE CHIEF JUSTICE
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C.KUMARAPPAN, J.

PM

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