



W.P(MD)No.27009 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.01.2023

CORAM :

**THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR
and
THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR**

W.P(MD)No.27009 of 2022

M/s.Can Fin Homes Ltd.,
Rep by its Authorised Officer,
Mr.Arul Anthuvan A
Having its Branch Office at
B-11, 2nd Floor, Star Towers,
12th Cross Street, Thillai Nagar,
Trichy-620 018.

... Petitioner

vs.

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

... Respondent

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, directing the respondent to pass suitable orders in Na.Ka.No.G5/25515/2018 submitted by the Petitioner Company U/S 14 of the SARFAESI Act for taking physical possession of the mortgaged properties of the



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borrower / guarantor as prayed in the said petition within a time frame that may be fixed by this Court.

For Petitioner : Mr.S.I.Muthiah
For Respondent : Mr.V.Nirmal Kumar
Government Advocate

ORDER

(Order of the Court was made by D.KRISHNAKUMAR, J.)

The prayer in this writ petition is for issuance of a Writ of Mandamus, directing the respondent to pass suitable orders in Na.Ka.No.G5/25515/2018 submitted by the petitioner's company under Section 14 of the SARFAESI Act for taking physical possession of the mortgaged properties of the borrower / guarantor as prayed in the said petition within a time frame.

2. Today, when the writ petition was taken up for hearing, learned Government Advocate appearing for the respondent, on instructions, submitted that the application filed by the petitioner under Section 14 of the SARFAESI Act in Na.Ka.No.G5/25515/2018,



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will be considered by the respondent and appropriate orders will be passed on merits and in accordance with law, within a time frame.

3. Recording the above submission, we direct the respondent to consider the application of the petitioner filed under Section 14 of the SARFAESI Act in Na.Ka.No.G5/25515/2018, and pass appropriate orders on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

4. With the above direction, the Writ Petition is disposed of.
No costs.

[D.K.K.,J.] & [R.V.,J.]
09.01.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes
bala



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and
R.VIJAYAKUMAR, J.

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ORDER MADE IN
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