



WEB COPY



W.P.(Crl).No.297 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.07.2026

CORAM

THE HON'BLE MR JUSTICE G.K. ILANTHIRAIYAN

W.P.(Crl).No.297 of 2026

Union Bank of India,
Asset Recovery Branch,
P.B.No.8,235,
Oppanakara Street,
Coimbatore.

... Petitioner

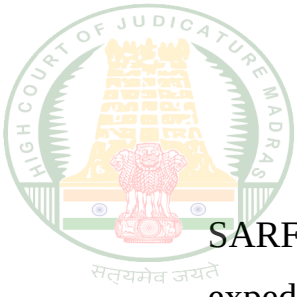
vs.

1.The Deputy Superintendent of Police
Near Bus Stand,
Kuppichipalayam Road,
Perianaickenpalayam,
Coimbatore, Tamil Nadu – 641 020.

2.Station House Officer,
Periyanaickenpalayam Police Station,
Palamalai Rd, Periyanaickenpalayam,
Coimbatore, Tamil Nadu – 641 020.

... Respondents

PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the 2nd Respondent to provide adequate and necessary assistance to the Advocate Commissioner appointed by the Chief Judicial Magistrate, Coimbatore, vide order dated 13.03.2025 passed in Crl.M.P.No.2345 of 2025 under Section 14 of the



W.P.(Crl).No.297 of 2026

SARFAESI Act, 2002, to take physical possession of the secured property expeditiously and consequently hand over possession of the same to the Petitioner within a period stipulated by this Court.

For Petitioner : M/s.K.R.ananda Gomathy

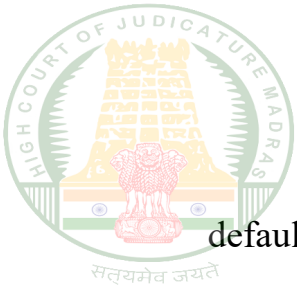
For R1 and R2 : Mr.R.Ganesh Kumar
Counsel for Government of Tamil Nadu
(Criminal Side)

ORDER

This Writ Petition has been filed for a direction, directing the 2nd respondent to provide adequate police protection to Advocate Commissioner while taking physical possession of the secured property under the SARFAESI Act, 2002.

2. Heard the learned counsel appearing on either side and perused the materials placed on record.

3. The petitioner had lent loan to the borrower. While borrowing the loan, the borrower deposited the title deeds of the property and also another person stood as guarantor. However, subsequently, the borrower committed



default and the loan account of the borrower classified as 'Non-Performing Asset'. The petitioner initiated proceedings under SARFAESI Act, 2002 as against the borrower and taken symbolic possession of the assets secured towards loan facilities. Subsequently, the property was brought into auction sale and sold out in favour of the third party. In order to take physical possession of the said property, the petitioner filed an application under Section 14 of the SARFAESI Act, 2002 in Crl.M.P.2345 of 2025 on the file of the Chief Judicial Magistrate, Coimbatore. It was allowed and appointed an Advocate Commissioner to take physical possession of the secured property by an order dated 24.03.2025. However, the Advocate Commissioner could not able to take physical possession of the subject property since the borrower and others objected the Advocate Commissioner from taking physical possession of the subject property. Therefore, the petitioner lodged complaint to provide adequate police protection to the Advocate Commissioner while taking physical possession of the subject property.

4. In view of the above, the 2nd respondent is directed to provide adequate police protection to the Advocate Commissioner while taking physical possession of the secured property, within a period of two weeks



W.P.(Crl).No.297 of 2026

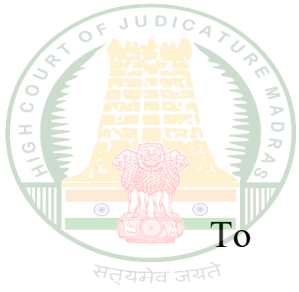
from the date of receipt of copy of this order. The 2nd respondent is also directed to register FIR, if anybody obstructing the Advocate Commissioner while taking physical possession of the subject property and proceed in accordance with law.

5. With the above direction, the Writ Petition (Criminal) is allowed.

No costs.

01.07.2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
dm



W.P.(Crl).No.297 of 2026

To

WEB COPY

- 1.The Deputy Superintendent of Police
Near Bus Stand,
Kuppichipalayam Road,
Perianaickenpalayam,
Coimbatore, Tamil Nadu – 641 020.
- 2.Station House Officer,
Periyanaickenpalayam Police Station,
Palamalai Rd, Periyanaickenpalayam,
Coimbatore, Tamil Nadu – 641 020.
- 3.The Public Prosecutor,
High Court of Madras,
Chennai.



WEB COPY



W.P.(Crl).No.297 of 2026

G.K. ILANTHIRAIYAN, J.

dm

W.P.(Crl).No.297 of 2026

01.07.2026