

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.03.2016

CORAM:

THE HONOURABLE MS.JUSTICE R.MALA

Crl.O.P.No.5616 of 2016

1.Mrs.Lakshmi

2.Mr.Raghunathan

... Petitioners

Vs.

1.The Commissioner or Police,
Office of the Commissioner of Police,
E.V.K.Sampath Salai, Vepery,
Chennai - 600 007.

2.The Inspector of Police,
K2, Ayanavaram Police Station,
Chennai - 600 023.

... Respondents

Prayer :

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying for a direction to the respondents herein to provide sufficient police force as protection to the Bailiff to enable him to execute the warrant for delivery of taking possession of the property situate at No.43, Periyar Salai, Ayanavaram, Chennai - 600 023 being subject matter of E.P.No.1090 of 1991 in O.S.No.2242 of 1982 on the file of X Assistant City Civil Court, Chennai.

For Petitioners : Mr.S.Rajasekar

For Respondents : Mr.C.Emalias
Additional Public Prosecutor

ORDER

The petitioner has come forward with this petition seeking for a direction to the respondents herein to provide sufficient police force as protection to the Bailiff to enable him to execute the warrant for delivery of taking possession of the property situate at No.43, Periyar Salai, Ayanavaram, Chennai - 600 023 being subject matter of E.P.No.1090 of 1991 in O.S.No.2242 of 1982 on the file of the learned X Assistant City Civil Court, Chennai.

2.Heard the submissions made by the learned counsel appearing on either side.

3.The learned counsel for the petitioner would submit that the petitioner is the decree holder. He filed Execution Proceedings for delivery of taking possession of the property, but it was obstructed by the judgment debtor. Hence, the petitioners filed this petition for providing sufficient police force as protection to the Bailiff to enable him to execute the warrant for delivery of taking possession of the property. He has also taken me to page nos.37 and 43 of the typed set of papers which shows that on 25.06.2014 when the Bailiff went to execute the warrant, obstructions have been made.

4.Considering the rival submissions made on both sides, this Court feels it a fit case for giving direction for providing police protection to the Bailiff. Hence, the respondents are directed to provide sufficient police force as protection to the Bailiff so as to enable him to execute the warrant for delivery of taking possession of the property situate at No.43, Periyar Salai, Ayanavaram, Chennai - 600 023 being subject matter of E.P.No.1090 of 1991 in O.S.No.2242 of 1982 on the file of the learned X Assistant City Civil Court, Chennai.

5.The Criminal Original Petition is disposed of with the above direction.
pri

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

- 1.The Commissioner or Police,
Office of the Commissioner of Police,
E.V.K.Sampath Salai, Vepery,
Chennai - 600 007.
 - 2.The Inspector of Police,
K2, Ayanavaram Police Station,
Chennai - 600 023.
 - 3.The Public Prosecutor, High Court, Madras.
- + 4ccs to Mr.S.Rajasekar, Advocate Sr 16069

KR/24/3/16

Cr1.O.P.No.5616 of 2016