

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.06.2017

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.14373 of 2017

A. Ansari ... Petitioner

Vs

1. Punjab National Bank,
represented by its Branch Manager,
Luz Church Road Branch,
Luz Church Road,
Chennai.
2. The Recovery Officer,
Debts Recovery Tribunal-II,
4th floor, Dewa Towers,
No.770A, Anna Salai,
Chennai - 2
3. The Deputy Commissioner of Police,
St. Thomas Mount,
Chennai
4. The Assistant Commissioner of Police,
Pallavaram, Chennai
5. The Inspector of Police,
S5, Pallavaram Police Station,
Pallavaram, Chennai

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying this Court to issue a Writ of Mandamus directing the respondents 3 to 5 to provide adequate police assistance on a date to be fixed by this Court for the eviction of the premises at No.23A, Munusamy Maistry Street, Essa Pallavaram, Chennai - 600 043 by the 2nd respondent.

For Petitioner : Mr.A. Mohamed Ismail

For respondents : Mr.D. Vairamurthy
Spl.Government Pleader

O R D E R

The petitioner has filed the writ petition seeking for issuance of a Writ of Mandamus directing the respondents 3 to 5 to provide adequate police assistance on a date to be fixed by this Court for the eviction of the premises at No.23A, Munusamy Maistry Street, Essa Pallavaram, Chennai - 600 043 by the 2nd respondent.

2. According to the petitioner, all other legal proceedings have already been completed and only for evicting the occupants therein, police protection is required and as per Rule 39 of the Income Tax (Certificate Proceedings) Rules, 1962 read with Section 29 of the Recovery of Debts due to Banks and Financial Institutions Act, 1995, judgment debtor was directed to hand over the vacant possession. Therefore, the fifth respondent shall provide adequate police protection for taking possession of the property on a date being fixed by the petitioner and such exercise shall be completed within a period of two weeks from the date of receipt of a copy of this order. With the above direction, the writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

sr
To

1. Punjab National Bank,
represented by its Branch Manager,
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Luz Church Road,
Chennai.

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Debts Recovery Tribunal-II,
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3. The Deputy Commissioner of Police,
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4. The Assistant Commissioner of Police,
Pallavaram, Chennai
5. The Inspector of Police,
S5, Pallavaram Police Station,
Pallavaram, Chennai

+1cc to M/S.A.Mohamed Ismail, Advocate Sr.41340
+1cc to the Government Pleader Sr.41721

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