



Arb.Appln.No.46 of 2023

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KRISHNAN RAMASAMY, J.

This Court vide order dated 13.02.2023 appointed the Advocate Commissioner to seize the vehicle and handover the same to the applicant. Accordingly, the learned Advocate Commissioner had made an attempt to seize the vehicle and in this regard, he has filed his report dated 13.03.2023. The relevant paragraphs in the learned Advocate Commissioner's reports are 7,8 and 9, which are extracted hereunder:

“7) I respectfully submit that the SSI Mr.Ravichandran received a phone call, after the phone call, the SSI also restrained, us from taking the possession of the vehicle and further, he directed all of us to come to the Thirumayam Police station and had to discuss with the Inspector of Police regarding the seizure of the vehicle. I informed the SSI that the Hon'ble High Court had directed the Police to aid us to seize the vehicle not to restrain, further I informed him that the act of SSI would amounts to contempt of court. The SSI without helping us to seize the vehicle, simply moved away from the spot and ordered us to come to the Police station and meet the Inspector of Police.



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8) I respectfully submit that again we reached the Thirumayam Police Station around 4:40 pm and had been waiting there. I had also informed the news, non-availability of Inspector of Police to the Office of The Superintend, Pudukottai and further I informed that we had been waiting for so long. In the meantime, the owner of the vehicle (Respondent) came to the police station and he had shown a serious objection in taking possession of the vehicle and informed me that another Arbitration case is pending.

9) I respectfully submit that the Inspector of Police, Thirumayam Police Station came to the station around 8:15 pm and I explained to him about the order of the High Court in Arb.Appln.No.46 of 2023, he said that he had already read the order copy, Further, the Inspector of Police said that the Respondent is a political person and he received calls from the political leaders regarding this issue.”

2. Reading of the above paragraphs would show that even after the receipt of the order passed by this Court, the SSI and the Inspector of Police, Thirumayam Police Station have restrained the learned Advocate Commissioner from taking possession of the vehicle. Therefore, this Court



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directs the Superintendent of Police, Thirumayam Police Station, to conduct enquiry and initiate action against those two officers and report the same before this Court on 05.06.2023. Further, this Court also directs the Superintendent of Police, Thirumayam Police Station to give all protection to the learned Advocate Commissioner to execute the warrant issued by this Court. Further, the concerned SSI and the Inspector of Police, Thirumayam Police Station are directed to appear before this Court on 05.06.2023.

3. In the meanwhile, the time is extended till 05.06.2023, for executing the warrant.

03.04.2023

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