



WEB COPY

W.P. No.28265 of 2023



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 04.10.2023

CORAM :

THE HONOURABLE Dr. JUSTICE G.JAYACHANDRAN

W.P.No.28265 of 2023

M/s.Can Fin Homes Ltd.,
Rep by its Authorised Officer,
Mr.K.Kannan

... Petitioner

-VS-

- 1.The Station House Officer and
Inspector of Police, Law & Order,
Office of the Station House Officer,
Selaipur Police Station, Velachery Road,
Aarthi Nagar, Chennai – 600 059.
- 2.The Deputy Commissioner of Police,
Law & Order,
Office of Deputy Commissioner of Police,
Kanathur Police Station, East Coast Road,
Kanathur, Chennai – 603 112.
3. The Thazhildhar,
Tambaram Taluk Office,
Chitlapakkam, West Tambaram,
Chennai – Trichy National High Way,
Tambaram, Chennai – 600 045.
...Respondents



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PRAYER : Writ Petition has been filed under Article 226 of the Constitution of India to issue a writ of Mandamus, directing the respondents to give adequate Police Protection to enable the Petitioner Company to take physical possession of the Mortgaged Property in furtherance of the order dated 29.07.2022 made in C.M.P. No.6302 of 2022 on the file of the Chief Judicial Magistrate, Chengalpattu.

For Petitioner : Mr.P.Dinesh Kumar

For Respondent : Mr.S.Udaya Kumar,
Government Advocate (Crl.Side)

ORDER

The petitioner Company has taken symbolic possession of the property mortgaged in exercise of power conferred under SARFAESI Act, 2002. For taking physical possession, this petition is filed seeking Police Protection.

2. In anticipation, Court cannot pass orders directing the Police to give Protection. Whenever, there is a threat to life or property, it is the duty of the Police to give Police Protection. If any such requirement arise in this case, the



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person aggrieved, can approach the respondent police and get police protection.

Any order in anticipation is not warranted in the case of this nature. Hence this

Petition is dismissed. No costs.

04.10.2023

Internet : Yes/No

Index : Yes/No

rkp

To

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Dr.G.JAYACHANDRAN, J.

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