



W.P.No.28924 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.10.2023

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

W.P.No.28924 of 2023

M/s.Varthana Finance Private Limited,
(Formerly known as Thirumeni Finance Private Limited)
Registered office at 5BC-110, 3rd Floor, Varasiddhi,
Outer Ring Road,
Service Road, 3rd Block, IIRBR Layout,
Kalyan Nagar, Bangalore – 560 043.

... Petitioner

Vs.

The Inspector of Police,
Law and Order,
A-3, Peramanallur,
Tiruppur District.

... Respondents

Prayer: Writ Petition is filed under Section 226 of Constitution of India, pleaded to issue a Writ of Mandamus, directing the respondent to give adequate police protection to enable the petitioner Company to take physical possession of the Mortgaged Property in furtherance of the order dated 07.12.2022 made in CrI.M.P.No.13102 of 2022 on the file of the Chief Judicial Magistrate, Tiruppur.



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For Petitioner : Mr.A.Sivasubramanian
For Respondent : Mr.S.Udaya Kumar
Government Advocate (Crl. Side)
For Defaulter : Mr.V.Anandhamurthy

ORDER

Pursuant to the order given by the learned Chief Judicial Magistrate, Tiruppur, the Finance Company through an Advocate Commissioner attempted to take possession of the property of the defaulter. It is alleged that the attempt to take possession may be prevented by the defaulter and they want police protection.

2.The learned counsel appearing for the defaulter submitted that against the order passed by the learned Chief Judicial Magistrate, Tiruppur to take possession they have approached DRT and the matter is pending. Be that as it may, if there is any order passed by the competent Court to take possession and that order could not be implemented due to intervention of third parties, the matter has been brought to the notice of the Chief Judicial Magistrate for appropriate action, who will be the best person to consider the material and take decision based on the material after enquiry, under Section 482 Cr.P.C., hence, such protections need not be granted when the other



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provisions of Cr.P.C., is available for the said relief.

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3. Accordingly, this Writ Petition is dismissed. No Costs.

11.10.2023

Index : Yes/No
Neutral Citation : Yes/No
SSR

To

1. The Inspector of Police,
Law and Order,
A-3, Peramanallur,
Tiruppur District.

2. The Public Prosecutor,
High Court of Madras,
Chennai.



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Dr.G.JAYACHANDRAN,J.

SSR

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