



W.P.No.29922 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.10.2023

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.29922 of 2023

M/s.Can Fin Homes Ltd.
Rep. by its Authorised Officer, Shiva VR
Having its Branch Office at
No.1, Johnsonpet Road
Hasthampatty, Salem – 7.

.. Petitioner

Vs.

1. The District Collector
The Office of the District Collector
Fort Main Road, Salem – 636 001.
2. The Commissioner of Police
The Office of the Commissioner of Police
Sankari Main Road, Linemedu
Gudai, Salem – 636 006.
3. The Tahsildar
Salem South Taluk Office
Maniyanoor, Salem.
4. The Inspector of Police
B6 – Kondalampatti Police Station
Sandaipet, Salem – 636 010.

.. Respondents



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Prayer: Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus, directing the Chief Judicial Magistrate, Salem to execute the order dated 09.05.2023 made in Cr.M.P.No.245 of 2020 and handover the physical possession of the Mortgaged Properties to the petitioner Company with the assistance of the 3rd and 4th respondents herein.

For the Petitioner : Mr.S.I.Muthiah

For the Respondents : Mr.P.Muthukumar
State Government Pleader
assisted by Mrs.R.Anitha
Special Government Pleader

ORDER

(Made by the Hon'ble Chief Justice)

Heard Mr.S.I.Muthiah, learned counsel for the petitioner and Mr.P.Muthukumar, learned State Government Pleader assisted by Mrs.R.Anitha, learned Special Government Pleader for the respondents.

2. Learned State Government Pleader submits that if the order under Section 14 of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 is not stayed by any other Courts, then the Police Authorities would extend Police protection to the Advocate Commissioner.



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3. In view of the said submission, the writ petition stands disposed of. There will be no order as to costs.

(S.V.G., CJ.)

(D.B.C., J.)

16.10.2023

Index : Yes/No
Neutral Citation : Yes/No

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(drm)

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