



WEB COPY

WP No.32565 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12-12-2023

CORAM

THE HONOURABLE DR. JUSTICE G.JAYACHANDRAN

WP No.32565 of 2023

Ms.Logambal A.G.

... Petitioner

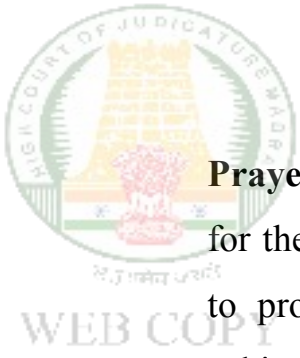
Vs.

1. Inspector of Police,
Tiruppur North Police Station,
Kannipiran Colony,
Valipalayam,
Tiruppur-641 602.

2. The Commissioner of Police,
Sirupooluvapatti,
Tiruppur-641 687.

3. The South Indian Bank Ltd.,
Represented by its Authorised Representative
Mr.Rajeev E, S/o.Radhakrishnan E,
Aged about 45 years,
Regional Office at 1084,
Trichy Road, Sungam,
Coimbatore-641 018.

... Respondents



Prayer: Writ Petition is filed under article 226 of the Constitution of India, for the issuance of a Mandamus, directing the first and second respondents to provide police protection for taking over peaceful possession of the subject property auctioned by the third respondent-Bank vide Sale Notice dated 19.01.2023.

For Petitioner : Mr.M.Narendran for
Mr.Lilly Francis.

For Respondents-1 and 2: Mr.Leonard Arul Joseph Selvam,
Government Advocate
(Criminal Side).

For Respondent-3 : Mr.M.L.Ganesh

ORDER

The present Writ Petition has been filed seeking police direction to take possession of the property which is sold by the third respondent-Bank under SARFAESI Act.

2. The petitioner is the third party, who has purchased the property.

3. The intricacy facts which led to ordering possession and the



objections by the erstwhile owner or the occupant will be better understood and appreciated by the Court, which has ordered possession and not by the High Court. Hence, the present Writ Petition stands dismissed. The petitioner is at liberty to approach the SARFAESI Court or the Magistrate, who has ordered possession and seek for remedy. However, there shall be no order as to costs.

12-12-2023

Index : Yes/No
Internet: Yes/No
Speaking order/Non-Speaking order
Neutral Citation : Yes/No
Svn

To

1. Inspector of Police,
Tiruppur North Police Station,
Kannipiran Colony,
Valipalayam,
Tiruppur-641 602.
2. The Commissioner of Police,
Sirupooluvapatti,
Tiruppur-641 687.
3. The Public Prosecutor,
High Court of Madras,
Chennai.



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DR.G.JAYACHANDRAN, J.

Svn

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