



Writ Petition No.7440 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.03.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.7440 of 2024

M.Subramanian
S/o.Muthu

... Petitioner

Vs.

1.The Superintendent of Police,
Ariyalur District,
Ariyalur.

2.The Inspector of Police,
Ariyalur Police Station,
Ariyalur District.

...Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, pleaded to issue a Writ of Mandamus, directing the respondents to provide necessary police assistance as and when required to execute the delivery of possession warrant in EP No.18/2013 in O.S.No.21 of 2012, dated 04.07.2012 on the file of Principal District Munsif, Ariyalur District.



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For Petitioner : Mr.S.Kamadevan

For Respondents : Mr.A.Damodaran
Additional Public Prosecutor

ORDER

This Writ Petition has been filed seeking issuance of a Writ of Mandamus directing the respondent police to provide police protection for the purpose of effecting delivery of possession ordered in E.P.No.18 of 2013 in O.S.No.21 of 2012, dated 04.07.2012, by the Principal District Munsif, Ariyalur District.

2. Heard Mr.S.Kamadevan, learned counsel for petitioner and Mr.A.Damodaran, learned Additional Public Prosecutor appearing on behalf of respondents.

3. In the considered view of this Court, the execution Court has already ordered delivery of possession and the Court has also provided for police aid to effect delivery. The grievance of the petitioner is that the respondent police is not providing any police protection and as a result, the



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execution is not taking place.

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4. When a competent civil Court had ordered for delivery of possession to be effected through the officer of the Court and the Court has also provided for police aid, it is the duty of the second respondent to act upon the same and provide necessary police protection to enable the officer of the Court to effect delivery of possession. Hence, there shall be a direction to the second respondent to provide police assistance to effect delivery of possession ordered by the Court below in E.P.No.18 of 2013.

This writ petition is disposed of with the above direction. No costs.

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Index : Yes/No
Speaking Order/Non-speaking Order
Neutral Citation : Yes/No
gm

N.ANAND VENKATESH, J



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gm

To

- 1.The Principal District Munsif,
Ariyalur District.
- 2.The Superintendent of Police,
Ariyalur District,
Ariyalur.
- 3.The Inspector of Police,
Ariyalur Police Station,
Ariyalur District.
- 4.The Public Prosecutor,
High Court of Madras.

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