



WEB COPY



W.P.No.8195 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.03.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.8195 of 2024

K.Navaneethan

.. Petitioner

Vs.

1.The Tahsildar,
Perur,
Coimbatore District.

2.The State rep by its,
The Inspector of Police,
Kuniyamuthur Police Station,
Coimbatore District.

3.The Karur Vysya Bank Ltd.,
Rep by its Authorized Officer,
Asset Recovery Branch,
Coimbatore.

4.M.Kumar

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 2nd respondent to provide adequate police protection for taking physical possession of property bearing Door No.3/25, Thirunavukkarasu Nagar, Kuniyamuthur, Coimbatore District and hand over the same to the petitioner within a time bound manner in view of order dated 27.11.2023 vide proceedings



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in D.No.2340 of 2021 on the file of Chief Judicial Magistrate (FAC) at Coimbatore.

For petitioner : Mr.K.Myilsamy
For RR 1 & 2 : Mr.A.Damodaran
Additional Public Prosecutor

ORDER

The Writ Petition has been filed for a direction to the respondent police to provide police protection in order to enable the Advocate Commissioner to take physical possession of the property pursuant to the order passed by the learned Chief Judicial Magistrate, Coimbatore in Cr.M.P.No.241 of 2020 dated 06.03.2020, under Section 14 of the SARFAESI ACT, 2002.

2.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondents 1 & 2.

3.Taking into consideration the facts and circumstances of the case and also taking note of the order passed by the learned Chief Judicial Magistrate, Coimbatore in Cr.M.P.No.241 of 2020 dated 06.03.2020 and further taking into consideration the communication of the learned Chief



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Judicial Magistrate (FAC), Coimbatore, made to the 2nd respondent, there shall be a direction to the 2nd respondent to provide police protection in order to enable the Advocate Commissioner to take physical possession of the property and to hand over the same to the 3rd respondent Bank.

4.The Writ Petition is disposed of with the above directions. No costs.

27.03.2024

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Index : Yes / No

Internet : Yes / No

Neutral Citation : Yes / No

To

- 1.The Tahsildar,
Perur, Coimbatore District.
- 2.The State rep by its,
The Inspector of Police,
Kuniyamuthur Police Station,
Coimbatore District.
- 3.The Karur Vysya Bank Ltd.,
Rep by its Authorized Officer,
Asset Recovery Branch, Coimbatore.
- 4.The Public Prosecutor,
Madras High Court, Chennai.



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N.ANAND VENKATESH, J.

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