



WEB COPY



WP No.11761 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.04.2024

CORAM

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

AND

THE HON'BLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

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Cholamandalam Investment & Finance Co.Ltd.

Dare House, 2, NSC Bose Road, Parrys,
Chennai 1

rep. By its Senior Manager (Legal) and
Authorised Signatory K.Thiyagarajan

: Petitioner

versus

1.Commissioner of Police,
Chennai city,
132, EVK Sampath Road, Vepery,
Periyamet, Chennai 7

2.Deputy Commissioner of Police,
Chintatripet, Chennai 2

3.Ravi K.

4.Priyadharshini R

5.M/s.Mani Electronics
247, NM Road, Avadi Trivallur,
Chennai 54.

: Respondents



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Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the second respondent to aid/assist the Advocate Commissioner in executing the warrant by taking physical possession of the collateral property under Section 14 of the SARFAESI Act, 2002 within a fixed time.

For Petitioner : Mr.Kishore Balasubramanian
For Respondents 1,2 : Mr.R.Muniyapparaj,
Additional Public Prosecutor
assisted by Mr.M.Sylvester John

ORDER

(Made by the Hon'ble Chief Justice)

We have heard Mr.Kishore Balasubramanian, learned counsel for the petitioner and Mr.R.Muniyapparaj, learned Additional Public Prosecutor for respondents 1 and 2.

2. This petition is filed seeking direction against the second respondent to aid/assist the Advocate Commissioner in executing the warrant, by taking physical possession of the property under Section 14 of the SARFAESI Act, 2002.



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3. Learned Additional Public Prosecutor submits that in case there are no prohibitory orders, then, necessary protection would be granted for executing the order under Section 14 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002.

4. In view of the said statement, the writ petition stands disposed of. There shall be no order as to costs.

(S.V.G., CJ.)

(J.S.N.P., J.)

26.04.2024

Index : Yes/No
Neutral Citation : Yes/No
tar

To

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