



W.P.No.29881 of 2024

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated:04.10.2024

Coram:

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

W.P.No.29881 of 2024

M/s Axis Bank Ltd.,
Retail Assets Centre,
4th Floor, Arcot Plaza,
New No.38, Old No.165,
Arcot Road, Kodambakkam,
Chennai 600 024,
Represented by its Authorised Signatory,
Mr.S.Pon Surendiran

.. Petitioner

/versus/

1.The Assistant Commissioner of Police,
Thoraipakkam Range,
Chennai 600 097.

2.The Inspector of Police,
J-9, Thoraipakkam Police Station,
Old Mahabalipuram Road, Chennai 600 097.

.. Respondents 1 & 2

Writ Petition has been filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus to direct the respondents to provide necessary police protection to the Advocate Commissioner pursuant to the order passed by the learned Special



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Judge/Chief Judicial Magistrate at Chengalpet in C.M.P.No.8719 of 2023, dated 21.03.2024 within a stipulated time frame.

For Petitioner :Mr.R.Ganesh Kumar for
M/s KVP Deepak Raj

For Respondents :Mr.K.M.D.Muhilan
Govt.Advocate(Crl.Side)

ORDER

For execution of the order passed by learned Special Judge/Chief Judicial Magistrate at Chengalpet in SARFAESI proceedings to take possession, this petition is before this Court to direct the police to give protection.

2.This Court is of the view that appropriate forum for the petitioner to get the relief is the learned Special Judge/Chief Judicial Magistrate at Chengalpet, who has passed the order for taking delivery through an Advocate Commissioner and the Advocate Commissioner will be the appropriate person to report before the concerned Court about the difficulty in executing the order passed by the Court. Hence, the petitioner is directed to approach the Chief Judicial Magistrate through



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the Advocate Commissioner for the relief sought for. Accordingly, this

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Writ Petition is disposed of. No costs.

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Index:yes/no

Internet:yes/no

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To:

- 1.The Special Judge/Chief Judicial Magistrate at Chengalpet.
- 2.The Assistant Commissioner of Police, Thoraipakkam Range,
Chennai 600 097.
- 3.The Inspector of Police, J-9, Thoraipakkam Police Station,
Old Mahabalipuram Road, Chennai 600 097.
- 4.The Public Prosecutor, High Court, Madras.



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DR.G.JAYACHANDRAN,J.

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