



W.P.(MD) No.990 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.02.2024

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

and

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.990 of 2024

Pugalendhi Sekaran,
The Authorized Officer,
TATA Capital Housing Finance Limited,
Madurai.

... Petitioner

Vs.

1.The Commissioner of Police,
Madurai City,
Madurai.

2.The Inspector of Police,
S.S.Colony Police Station,
Madurai City.

3.John Peter Jesudass

4.Priyanga

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st and 2nd respondents herein to provide adequate police protection to the petitioner, while taking the possession of the secured assets from the 3rd and 4th respondents based on the petitioner's representation dated 05.01.2024.



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For Petitioner :Ms.A.Banumathy
For R-1 & R-2 :Mr.S.S.Madhavan,
Government Advocate(Crl. Side)

ORDER

[Order of the Court was made by D.KRISHNAKUMAR, J.]

Mr.S.S.Madhavan, learned Government Advocate(Crl. Side), takes notice for the respondents 1 and 2.

2. The petitioner has filed this writ petition seeking for issuance of a Writ of Mandamus, directing the 1st and 2nd respondents herein to provide adequate police protection to the petitioner, while taking the possession of the secured assets from the 3rd and 4th respondents based on the petitioner's representation, dated 05.01.2024.

3. The learned counsel appearing for the petitioner would submit that the petitioner has obtained an order from the learned Chief Judicial Magistrate, Madurai, in Cr.M.P.No.588 of 2023, dated 30.08.2023, under Section 14 of the SARFAESI Act, 2002, to take possession of the secured



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assets from the respondents 3 and 4. Subsequently, on 05.01.2024, the petitioner has made a representation before the first respondent, requesting to give police protection while taking possession of the secured assets. However, no action has been taken by the authorities. Hence, the petitioner has filed this writ petition, with the aforesaid prayer.

4. The learned Government Advocate(Crl. Side) appearing for the respondents 1 and 2, would submit that necessary police protection will be provided to the petitioner, if the petitioner gets necessary orders from the Court for providing police protection.

5. In the light of the above, we direct the respondents 1 and 2, to consider the representation of the petitioner, dated 05.01.2024 and pass appropriate orders, for providing adequate police protection to the petitioner while taking possession of the secured assets from the respondents 3 and 4, unless there is no legal impediment for taking possession of the properties.



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6. With the above directions, the writ petition is disposed of.

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No Costs.

[D.K.K., J.]

[R.V., J.]

21.02.2024

Neutral Citation: Yes / No

Index : Yes / No

PM

To:

1.The Commissioner of Police,
Madurai City,
Madurai.

2.The Inspector of Police,
S.S.Colony Police Station,
Madurai City.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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D.KRISHNAKUMAR, J.
and
R.VIJAYAKUMAR, J.

PM

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