



W.P.Nos.2715 of 2025 & 22724 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.03.2025

CORAM :

THE HON'BLE MR.K.R.SHRIRAM, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.Nos.2715 of 2025 & 22724 of 2024

W.P.Nos.2715 of 2025

A.K.S. Housing Development Company Private Ltd.
Represented by its Managing Director,
Mr.Anand Sheshadri, F1, Aks Dhruva Apartment,
New No. 12, Old No.17, Balaji Avenue,
1st Street, T-Nagar,
Chennai-600 017.

.. Petitioner

VS

1.CFM Asset Reconstruction Pvt. Ltd.,
Represented by its Authorized Officer,
Mr. Karthiyk Vishwanathan,
1st Floor, Wakefield House,
Sportott Road, Ballard Estate,
Mumbai-400 038

Also at:-

Hall Mark Towers, No.550, 4th Floor,
T.T.Krishnamachari Road,
Alwarpet,
Chennai-600 018.



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2.New Star Enterprises,
Represented by its Proprietor,
Lakshmanan Muniyandi,
Plot No.52, 4th Street, Abirami Avenue,
S.No.176/3A1C, Kodungaiyur Village,
Tondiarpet,
Chennai-600 118.

3.Jayalakshmi

4.M.Shankar

.. Respondents

Prayer : Petition under Article 226 of the Constitution of India seeking issuance of a writ of mandamus, directing the first respondent to handover the physical possession of the property sold to the petitioner pursuant to an auction sale took place on 30.08.2022 and evidenced by sale certificate dated 19.03.2024 issued by the 1st respondent in favour of the petitioner under the provisions of SARFAESI Act.

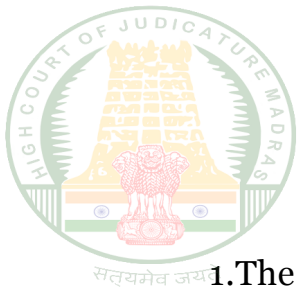
W.P.No.22724 of 2024

CFM Asset Reconstruction Pvt. Ltd.,
Represented by its Authorized Officer,
Mr. Karthiyk Vishwanathan,
1st Floor, Wakefield House,
Sportott Road, Ballard Estate,
Mumbai-400 038

Also at:-
Hall Mark Towers, No.550, 4th Floor,
T.T.Krishnamachari Road,
Alwarpet,
Chennai-600 018.

.. Petitioner

vs



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1.The Assistant Commissioner of Police,
P-3 Police Station,
Sathyamoorthy Nagar Main Road,
Block B, Kalyanapuram, Vyasarpadi,
Chennai-600 039

2.The Inspector of Police,
Station House Officer,
P-6, Kodungaiyur Police Station,
Chennai-600 118

.. Respondents

Prayer : Petition under Article 226 of the Constitution of India seeking issuance of a writ of mandamus, directing the respondents to provide adequate police protection and assistance to the advocate commissioner and the petitioner to take physical possession of the secured assets as ordered by the learned Chief Metropolitan Magistrate, Egmore, Chennai by order dated 10.08.2023 in Crl.MP.No.5305 of 2020.

Mr.E.Omprakash,
Senior Advocate
for M/S.Ramalingam and Associates
for petitioner
in W.P.No.2715 of 2025

Mr.T.Saikrishnan
for petitioner in W.P.No.22724 of 2024
& for R1 in W.P.No.2715 of 2025

R2 to R4 in W.P. No.2715 of 2025-
No appearance

Mr.E.Raj Thilak
Additional Public Prosecutor
for Respondents in W.P.No.22724 of 2024



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COMMON ORDER

(Order of the Court was made by the Hon'ble Chief Justice)

Respondent Nos.2 to 4 in W.P.No.2715 of 2025 are absent though served. Mr.Omprakash, on instructions, states that these respondents have been served. Statement accepted.

2. Mr.Raj Thilak, Additional Public Prosecutor, appearing for respondents in W.P.No.22724 of 2024, on instructions, from one Mr.T.Saravanan, Inspector of Police, P6-Kodundaiyur, Police Station (R2), undertakes to this Court that the said respondents would extend all police protection and co-operation on the date and time indicated by petitioner/R1 in W.P.No.2715 of 2025, to take physical possession of the property, which is ordered to be taken possession of by order dated 10.08.2023 in Crl.MP.No.5305 of 2020.



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3. Learned Additional Public Prosecutor states that one day advance notice be given, so that the officer will ensure that adequate protection is given. Statement accepted as an undertaking given to this Court.

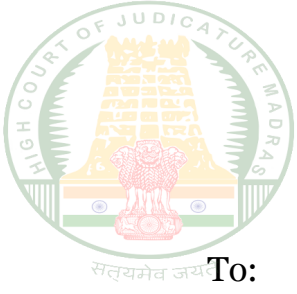
4. Both petitions accordingly stand disposed of. There shall be no order as to costs.

(K.R.SHRIRAM, C.J.)

(MOHAMMED SHAFFIQ.J.)

05.03.2025

Index : Yes/No
NC : Yes/No
mrn



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To:

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2.The Inspector of Police,
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THE HON'BLE CHIEF JUSTICE
AND
MOHAMMED SHAFFIQ.J.

(mrn)

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