



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-08-2025

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CORAM

THE HONOURABLE MR JUSTICE N. SATHISH KUMAR

WP No. 18173 of 2023

1. M/s.Shriram Housing Finance
Limited
Meenakshi Towers, New No.13/ Old
No. 6, Rajamannar Street, Ground
Floor, T.Nagar, Chennai 17 , Rep.
Through Its Authorized Officer, Mr.
Selvin Singh

Petitioner(s)

Vs

1. The Superintendent Of Police
Office Of Superintendent Of Police ,
Thirupattur

2.The Inspector Of Police
KURISILAPET

3.Mr. Manogaran P
S/o. Mr. Perumalnaicker , No. 310 ,
Omakuppam Kovil Vattam,
Marimanikuppam Village, Vellore,
Tamil Nadu 635 710

4.Vanithamani M
W/o. Mr. Manogaran P, No. 310 ,
Omakuppam Kovil Vattam,



Marimanikuppam Village, Vellore,
Tamil Nadu 635 710

Respondent(s)

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PRAYER : Writ Petition filed under Article 226 of the Constitution of India directing the Respondents 1 and 2 to take appropriate legal action against the Respondents 3 and 4 for their illegal occupation and the Respondents 3 and 4 to restore possession of the property to the petitioner situated at Marimanikuppam village, Tirupattur Panchayath Union, Vaniyambadi Taluk, Vellore district in Survey No. 355/8C , New Survey No. 355/8C2 within the Sub Registration District of Thirupathur and Registration district of Vellore, and imposing heavy cost on the Respondents 3 and 4 for their disobedience/ violation of the order passed by the Honble Chief Judicial Magistrate, Vellore in CRLMP No. 4435/ 2022 dated 27.06.2022.

For Petitioner(s): V.Balasubramani

For Respondent(s): Mr. K.M.D.Muhilan,
Additional Public Prosecutor - R1 & R2

ORDER

This Writ Petition has been filed to direct the first and second respondents to take appropriate legal action against the third and fourth respondents for their illegal occupation and to direct them to restore possession of the petition



mentioned property to the petitioner and imposing heavy cost on them for their

violation of the order passed by the learned Chief Judicial Magistrate, Vellore in

CRLMP No. 4435/ 2022 dated 27.06.2022.

2. According to the petitioner, they had obtained possession from the borrower as per law under the SARFAESI Act. An Advocate Commissioner has been appointed by the Chief Judicial Magistrate and he took possession of the property. Subsequently, the third and fourth respondents had broke open the seal of the Court and occupied the property illegally. Therefore, the petitioner had given a complaint before the first and second respondents. However, they had not taken any action against the third and fourth respondents. Hence, seeks a direction to the first and second respondents.

3. I have perused entire materials, particularly, the Advocate Commissioner's report, the same indicate that all the house hold articles are inside the house and house has been sealed and physical possession has been taken. In such view of the matter, let the petitioner approach the learned Chief



Judicial Magistrate, Vellore once again for appointment of another Advocate

Commissioner for taking possession of the property.

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4. With the above direction, this Writ Petition is disposed of.

21-08-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

vrc

To

1. The Superintendent Of Police
Office Of Superintendent Of Police ,
Thirupattur

2. The Inspector Of Police
KURISILAPET



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N.SATHISH KUMAR J.

VRC

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