



W.P.(Crl.) No.331 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.07.2025

CORAM

THE HON'BLE MR. JUSTICE P.VELMURUGAN

W.P.(Crl.) No.331 of 2025

N.Sekar

... Petitioner

Vs.

1. The Commissioner of Police
Greater Chennai City Police
Vepery, Chennai - 600 007

2. The Asst. Commissioner of Police
No.2, Durairaj Street
Madipakkam, Chennai - 600 091

3. The Inspector of Police
J-7 Velacherry Police Station
Velacherry, Chennai - 600 042

...Respondents

PRAYER: Writ Petition (Criminal) filed under Article 226 of Constitution of India to issue a Writ of Mandamus directing the 3rd respondent namely the Inspector of Police, J-7 Velacherry Police Station, Velacherry, Chennai - 600 042, to provide police aid to the City Civil Court bailiff to execute the delivery warrant ordered in E.P.No.152/2005 in O.S.No.7780/1989 on the file of X Assistant City Civil Court, Chennai.



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W.P.(Crl.) No.331 of 2025

For Petitioner : Mr.V.Manoharan
For Respondents : Mr.S.Vinoth Kumar
Government Advocate (Crl. Side)

ORDER

This Writ Petition (Criminal) has been filed by the petitioner to direct the 3rd respondent to provide police aid to the City Civil Court Bailiff to execute the delivery warrant ordered in E.P.No.152 of 2005 in O.S.No.7780 of 1989 on the file of the X Assistant City Civil Court, Chennai.

2. Heard both sides and perused the materials available on record.

3. It is seen that based on the Civil Court decree, Execution Petition has been filed, in which delivery has been ordered. Therefore, there is an enabling provision to approach the Execution Court, which passed the order, for executing the order of delivery. In case of any difficulties, the Bailiff has to approach the Station House Officer concerned seeking protection and if the Station House Officer is not extending his co-operation, the Bailiff can always file a report before the Execution Court by way of Affidavit and the Execution Court has to pass suitable orders.



W.P.(Crl.) No.331 of 2025

WEB COPY

4. The Writ Court, while exercising its power under Article 226 of the Constitution of Indian, cannot provide the relief as sought for by the petitioner.

5. Therefore, this writ petition (Criminal) is dismissed.

6. The petitioner is directed to approach the Execution Court to work out his remedy in the manner known to law.

18.07.2025

ksa-2

Index: Yes/No

Speaking Order: Yes/No

Neutral Citation: Yes/No

To

1. The X Assistant City Civil Court, Chennai.

2. The Commissioner of Police
Greater Chennai City Police
Vepery, Chennai - 600 007

3. The Assistant Commissioner of Police
No.2, Durairaj Street
Madipakkam, Chennai - 600 091

4. The Inspector of Police
J-7 Velacherry Police Station
Velacherry, Chennai - 600 042

5. The Public Prosecutor, High Court of Madras, Chennai



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W.P.(Crl.) No.331 of 2025

P.VELMURUGAN,J.

ksa-2

W.P.(Crl.) No.331 of 2025

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