



WEB COPY



W.P.Crl.No.1240 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.11.2025

CORAM:

THE HON'BLE MR.JUSTICE **A.D.JAGADISH CHANDIRA**

W.P.Crl.No.1240 of 2025

G.Kalaikumar

...Petitioner

Vs.

1. The Assistant Commissioner of Police,
Suramangalam Range,
Salem City – 636 005.
2. The Inspector of Police,
Sooramangalam Police Station,
Salem City – 636 005.
3. P.Jayakumar
4. Chitra
5. M/s. Chola mandalam Investment & Finance Company Limited,
Rep. by its Authorised Officer, Mr.K.Selvamani,
Registered office at “Chola Crest”, C54-55 & Super B-4,
Thiru-Vi-Ka Industrial Estate, Guindy, Chennai – 600 032.
Branch Office at No.22, 1st Floor, Maratha Arcade,
Indira Gandhi Road, Fairlands, Salem – 636 016. ...Respondents

Petition filed under Article 226 of the Constitution of India for
issuance of Writ of Mandamus directing the 1st and 2nd respondents to



W.P.Crl.No.1240 of 2025

consider the petitioner's representation dated 21.06.2025 and provide police protection to the petitioner and the 5th respondent bank officials to remove the movable articles of the 3rd and 4th respondents from the property situated at Door No.1/54, Mariyamman Kovil Street, Mamangam Post, Salem comprised in Survey No.27/2, New Patta No.1577, Jagir Ammapalayam Village, Sooramangalam SRO, Salem – 636 302 and to enable the petitioner to enjoy the peaceful vacant possession of his property.

For Petitioner : Mr.S.Gokul

For Respondents : Mr.R.Vinothraja, GA (Crl. Side), for R1 & R2

ORDER

This writ petition has been filed seeking to direct the 1st and 2nd respondents to consider the representation made by the petitioner on 21.06.2025 and to provide police protection for removing the movable articles of the 3rd and 4th respondents from the subject property.

2. Mr.R.Vinothraja, learned Government Advocate (Crl. Side) takes notice on behalf of the 1st and 2nd respondents. In view of the consent expressed by the learned counsel on either side, this writ petition is taken up for final disposal at the admission stage itself.



W.P.Crl.No.1240 of 2025

3. Heard learned counsel on either side and perused the materials available on record.

4. The petitioner is the successful bidder in the auction that was conducted by the 5th respondent NBFC and a Sale Certificate was executed in favour of the petitioner on 20.01.2025 and it was registered on 27.01.2025 as Document No.487 of 2025. Despite the final notice issued by the 5th respondent, as the 3rd and 4th respondents did not remove certain movable items left behind in the subject property and as they also prevented the petitioner and the bank officials from clearing out the left over articles, the 5th respondent NBFC lodged a complaint before the 2nd respondent and sought for protection and CSR.No.171 of 2025 dated 22.03.2025 was also issued by the 2nd respondent. Further, the petitioner had also submitted a detailed complaint/representation before the 1st respondent in this regard on 21.06.2025. However, till date, no action has been taken by the 1st and 2nd respondents on the complaint made by the petitioner as well as the 5th respondent. Hence, the present writ petition has been filed before this Court seeking for appropriate direction.



W.P.Crl.No.1240 of 2025

WEB COPY

5. Taking into consideration the facts and circumstances of the case, there shall be a direction to the 2nd respondent to provide police protection to the petitioner and the 5th respondent NBFC for removing the movable articles from the subject property. This Court expects the 3rd and 4th respondents to co-operate during the said process without causing any law and order problem. If there is any resistance from the 3rd and 4th respondents, it is left open to the 2nd respondent to take action in accordance with law.

6. Accordingly, this writ petition stands disposed of with the above directions. No costs.

04.11.2025

skt

Index	: Yes/No
Speaking order	: Yes/No
NCC	: Yes/No



W.P.Crl.No.1240 of 2025

WEB COPY To:

1. The Assistant Commissioner of Police,
Suramangalam Range,
Salem City – 636 005.
2. The Inspector of Police,
Sooramangalam Police Station,
Salem City – 636 005.



WEB COPY



W.P.Crl.No.1240 of 2025

A.D.JAGADISH CHANDIRA, J.

skt

W.P.Crl.No.1240 of 2025

04.11.2025