



W.P(MD)No.10377 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.04.2025

CORAM :

THE HON'BLE MR.JUSTICE P.DHANABAL

W.P(MD)No.10377 of 2025

K.Maheswari

... Petitioner

Vs

1. The State of Tamilnadu Rep By,
The Superintendent of Police,
Trichy District,
Trichy.

2. The Inspector of Police,
Jeeyapuram Police Station,
Trichy District.

3. The Branch Manager,
DCB Bank Ltd.,
Thillai Nagar, Trichy.

4. Selvanthilingam

5. Rethinam

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondents 1 to 2 to give police protection for handing over the



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possession by the third respondent to the successful E-Auction purchaser (Petitioner) related to the property situated in Old No. 5/7, New D.No. 5/14, Old S.F.No. 171/5, New S.F.No. 171/19, Murungapettai, Mutharasanallur, Srirangam Taluk, Trichy District, to an extent of 0.09 cents by considering the petitioners representation dated 02.09.2024.

For Petitioner : Mr.S.B.Kayvin Prince,

For R1 and R2 : Mr.R.M.Anbunithi
Additional Public Prosecutor

ORDER

This Writ Petition has been filed seeking a direction to the respondents 1 to 2 to give police protection for handing over the possession by the third respondent to the successful E-Auction purchaser (Petitioner) related to the property situated in Old No. 5/7, New D.No. 5/14, Old S.F.No. 171/5, New S.F.No. 171/19, Murungapettai, Mutharasanallur, Srirangam Taluk, Trichy District, to an extent of 0.09 cents by considering the petitioners representation dated 02.09.2024.

2.The learned Counsel for the petitioner would submit that the petitioner's husband purchased the subject property through e-Auction



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and the respondent Bank also issued sale certificate and a sale deed was registered in favour of the petitioner's husband on 10.03.2023. However, no possession was given to the petitioner's husband. Therefore, they filed a petition before the learned Chief Judicial Magistrate, Trichy for seeking possession of the property through Cr.M.P.No.25677 of 2022 and the same was allowed on 12.12.2022, thereafter, Advocate Commissioner was also appointed. However, the petitioner is unable to take possession of the property. Therefore, the petitioner sent the representation dated 02.09.2024, but the same has not been considered. Hence this petition.

3.The learned Additional Public Prosecutor appearing for the respondent police would submit that based on the petitioner's representation, they issued summons to both the parties for enquiry and the same is pending. They will conduct enquiry and take appropriate decision in accordance with law.

4.Considering the limited scope of the prayer sought for in this petition, this Court, without even issuing notice to the private respondents, is inclined to pass order.



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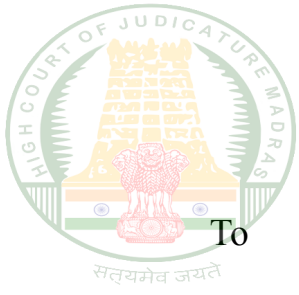
5. Since the representation of the petitioner is under enquiry by the second respondent, it is for him to take appropriate decision in accordance with law.

6. Therefore, this Court directs the second respondent to consider the petitioner's representation and dispose of the same, after affording opportunity to both the parties, in accordance with law.

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

16.04.2025

Internet : Yes
Index : Yes/No
NCC : Yes/No
LR



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To

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2. The Inspector of Police,
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Trichy District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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P.DHANABAL, J.

LR

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