



WEB COPY

WP CrI. No. 275 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-02-2026

CORAM

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

WP CrI. No. 275 of 2026

M/s. Tata Capital Housing Finance Limited
Rep. by its Authorised Officer,
Mr.Shanmugasundaram, Aged 32 Years,
S/o.Nagarathinam,
A Company incorporated under the Companies Act
1956, Having its Branch office at Door No.36/1,
Rajaji Road, Peramanoor, Salem- 636 007.

..Petitioner(s)

Vs

1. The Assistant Commissioner of Police
Kondalampatti, Salem.
2. The Inspector of Police
Sivadhapuram Police Station,
Salem District.
3. M.Pavayi
4. Vignesh

..Respondent(s)

Writ Petition has been filed under Article 226 of the Constitution of India to issue writ of Mandamus, to direct the 1st respondent to grant adequate police protection for implementing the order dated 14.06.2024 passed in CrI.M.P.No.1138 of 2022 by the learned Chief Judicial Magistrate, Salem and for taking and restoring physical possession of the secured asset in favour of the petitioner company.

For Petitioner(s):

Mr.R.Sreedhar



For Respondent(s):

ORDER

2. The case of the petitioner, a non-banking financial institution, is that the respondents 3 and 4 availed credit facilities sanctioned by the petitioner. Since the respondents failed to repay the amount, the accounts were declared as Non-Performing Assets (NPAs) on 22.09.2021. Based on the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest (SARFAESI) proceedings initiated by the petitioner, symbolic possession was granted to the petitioner on 22.09.2021. The petitioner subsequently proceeded under Section 14 of the SARFAESI Act and an Advocate Commissioner was appointed to take possession of the secured assets and if there is any resistance, the petitioner was directed to seek police assistance and take effective steps to secure the assets. Accordingly, the petitioner thereby sent a written representation to the respondent police 22.05.2025 requesting to give adequate



police protection. Since the respondents have not taken any further action, the petitioner has approached this Court.

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3. The learned Additional Public Prosecutor appearing on behalf of the respondents 1 and 2 would submit that based on the request of the petitioner, summonses were issued to the parties under Sections 94 and 179 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, to attend hearing on 14.11.2025. However, no further action was taken thereafter.

4. The learned Additional Public Prosecutor would further submit that the representation of the petitioner will be considered and adequate protection will be given to the Advocate Commissioner on a date fixed by him.

5. Recording the same, the Writ Petition stands disposed of. The petitioner shall pay the appropriate charges as per the relevant Government Orders. No costs.

12-02-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

JENI



To

1.The Assistant Commissioner of Police
Kondalampatti, Salem.

2.The Inspector of Police
Sivadhapuram Police Station,
Salem District.

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



WEB COPY

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A.D.JAGADISH CHANDIRA, J.

JENI

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