



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-06-2026

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THE HON'BLE MR JUSTICE G.K. ILANTHIRAIYAN

WP CrI. No. 754 of 2026

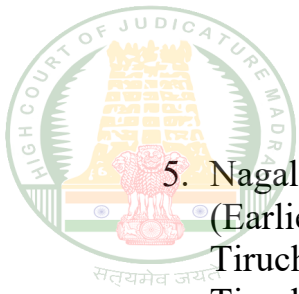
The Authorized Officer, A.Sathish Kumar,
Kotak Mahindra Bank Ltd,
Having Branch at No.17, New Edappadi Road,
Sankari, Salem District – 637 301.

Also at,
Legal Dept, 4th Floor, Samson Towers,
Pantheon Road, Egmore, Chennai – 600 008.

..Petitioner(s)

Vs

1. The Superintendent of Police
Namakkal District,
Having Office at Office of
Superintendent of Police, Tiruchengode Road,
Namakkal – 637 003.
2. The Deputy Superintendent of Police
Tiruchengode Sub Division,
Having office at office of
Deputy Superintendent of Police,
Police Quarters Campus, Mahadevapuram,
Erode Main Road, Tiruchengode – 637211.
3. The Inspector Of Police
Tiruchengode Town Police Station,
Near Tiruchengode Municipality Office,
Paramathi Road, Tiruchengode – 637 211.
4. Valarmathi, Inspector of Police,
Earlier posted in
Tiruchengode Town Police Station,
Presently posted in Hogenakkal Police Station,
Dharmapuri District – 636 810.



5. Nagalakshmi, Inspector of Police,
(Earlier was in incharge of
Tiruchengode Town Police Station),
Tiruchengode Rural Police Station,
Karattupalayam Bus Stop, Paramathi Road,
Tiruchengode – 637 209.

..Respondent(s)

PRAYER: Writ Petition is filed under Article 226 of Constitution of India, praying for the issuance of Writ of Mandamus directing the respondents 1 to 3 to provide adequate police assistance and protection to the Advocate Commissioner and the petitioner herein to execute the order under section 14 of the SARFAESI Act, passed in CrI.MP.No.5015 of 2022 by the Hon'ble Chief Judicial Magistrate of Namakkal dated 06.06.2023 and 20.05.2025 immediately and pass such further or other orders.

For Petitioner(s):	M/s. T.K.M.Sai Krishnan
For Respondent(s):	Mr.R.Ganesh Kumar Government Advocate (Criminal Side) for R1 to R3

ORDER

This Writ Petition has been filed seeking a direction to the respondents 1 to 3 to provide adequate police assistance and protection to the Advocate Commissioner and the petitioner for the execution of the order passed under Section 14 of the SARFAESI Act in CrI.MP.No.5015 of 2022 on the file of the learned Chief Judicial Magistrate, Namakkal, dated 06.06.2023 and 20.05.2025.



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2. The petitioner, being a banker, initiated proceedings against the borrowers who had committed default after availing loan facilities. Proceedings were initiated under the SARFAESI Act and, after issuance of demand notice and possession notice to the borrowers, the petitioner filed a petition under Section 14 of the SARFAESI Act in CrI.M.P.No.5015 of 2022 before the learned Chief Judicial Magistrate, Namakkal, seeking appointment of an Advocate Commissioner to take physical possession of the subject property for the purpose of auctioning the same to realise the loan amount.

3. The learned Chief Judicial Magistrate, Namakkal, appointed an Advocate Commissioner to execute the order and also permitted the Commissioner to obtain police assistance and the assistance of Revenue Officials for implementing the order passed under Section 14 of the SARFAESI Act. However, the third respondent failed to provide police protection to the Advocate Commissioner for execution of the said order. Hence, the petitioner submitted repeated representations and ultimately filed the present Writ Petition (Criminal) before this Court.

4. This Court, by order dated 07.04.2026, recorded the submission made by the petitioner that the borrowers had approached this Court by filing a Civil Revision Petition in CRP.No.1088 of 2026 and obtained an interim of stay,



which was in force till 11.04.2026. Accordingly, this Court directed the third respondent that, in the event the borrowers failed to obtain any further extension of protection beyond 11.04.2026, appropriate action shall be taken to implement the order passed by the learned Chief Judicial Magistrate, Namakkal.

5. It is submitted that the borrowers have not obtained any further order of protection in respect of taking possession of the subject property by the Advocate Commissioner.

6. In view of the above, the third respondent is directed to provide adequate police protection to the Advocate Commissioner appointed by the learned Judicial Magistrate, Namakkal, in CrI.M.P.No.5015 of 2022, forthwith, for the purpose of implementing and executing the order passed under Section 14 of the SARFAESI Act.

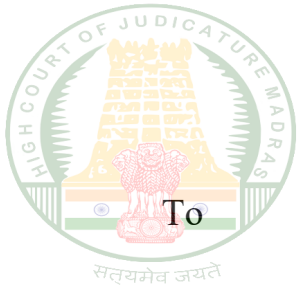
7. With the above direction, this Writ Petition (Criminal) stands allowed.

No costs.

05-06-2026

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

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1. The Superintendent of Police
Namakkal.
2. The Deputy Superintendent of Police
Tiruchengode Sub Division.
3. The Inspector Of Police
Tiruchengode Town Police Station.
4. Valarmathi
Inspector of Police,
Earlier posted in
Tiruchengode Town Police Station.
5. Nagalakshmi
Inspector of Police,
Earlier was in incharge of
Tiruchengode Town Police station.
6. The Public Prosecutor
High Court, Madras



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G.K.ILANTHIRAIYAN, J.

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