



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 25-06-2026**

CORAM

**THE HON'BLE MR JUSTICE G.K. ILANTHIRAIYAN**

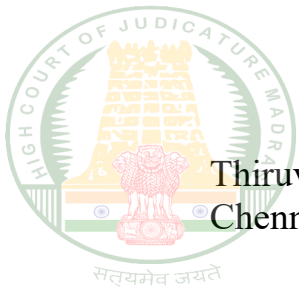
**WP CrI. No. 1462 of 2026**

M/s. Arka Fincap limited  
Registered Office Address at 2504, 25th Floor,  
One Lodha Place, Senapati Bapat Marg,  
Lower Parel, Mumbai-400 013.  
Represented by its Authorized Officer  
Mr. T. Mahendiran

..Petitioner(s)

Vs

1. State Represented by its Inspector of Police  
V-3, JJ Nagar, Police Station,  
Thiruvallur District.
2. The Commissioner of Police  
Avadi Police Commissionerate,  
Avadi, Tiruvallur District.
3. M/s. K. Vijaya Constructions  
A Proprietorship Concern Through its  
Proprietor,  
Mr. Karuppaiah Kannan,  
No.18, Kallikuppam Patravakkam,  
Service Road, Chennai, Tamil Nadu 600 053.
4. Mr. Karuppaiah Kannan  
R/o. No.50/73, 1st Street, Annai Sivagami  
Nagar,  
Chennai, Tamil Nadu 600057.  
Also at Plot No.312, Old Door No.46,  
New Door No.6, Padi Puthu Nagar, 8th Street,  
Anna Nagar Western Extension,  
Chennai-600 101.
5. Mrs. Chitra Kannan  
R/o. No.50/73, 1st Street, Annai Sivagami  
Nagar,



Thiruvallur, Katthivakkam, Ennore,  
Chennai. Tamil Nadu-600 057.

..Respondent(s)

**PRAYER :** Writ Petition filed under Article 226 of the Constitution of India praying for issuance of WRIT of MANDAMUS directing the 1st and 2nd Respondent to render necessary police assistance to execute the order passed by the Honorable Chief Judicial Magistrate at Tiruvallur in CrI MP No.163 of 2026 dated 30-3-2026 and pass such or further other orders as this Honorable Court.

For Petitioner(s): Mr.V.Balasubramani

For Respondent(s): Mr.R.Ganesh Kumar  
Counsel for Government of Tamil Nadu  
(CrI. Side) for R1 & R2

### **ORDER**

This petition has been filed seeking direction to the 1st and 2nd Respondent to render necessary police assistance to execute the order passed by the learned Chief Judicial Magistrate at Tiruvallur in CrI MP No.163 of 2026 dated 30-3-2026.

2. The petitioner is a financial institution from which respondents 3 to 5 borrowed money and subsequently defaulted on payments. Consequently, the petitioner initiated action under the SARFAESI Act as a "secured creditor" against the property provided as collateral security. The property was brought to auction and sold to a third party. To secure physical possession of the sold property, the petitioner filed CrI.M.P. No. 163 of 2026 before the learned Chief Judicial Magistrate, Tiruvallur. The learned Judge appointed an Advocate



Commissioner to take physical possession of the mortgaged property and hand it over to the petitioner for subsequent delivery to the purchaser. However, due to objections raised by respondents 3 to 5 during the execution process, the Advocate Commissioner was unable to secure physical possession.

3. In view of the above, the first respondent is directed to provide adequate police protection, as ordered by the learned Chief Judicial Magistrate, Tiruvallur in Crl.M.P. No. 163 of 2026, to assist in taking physical possession of the property. The property is described as Plot No. 312, measuring an extent of 87 square meters (or 936 sq. ft.), together with the building constructed thereon, situated at Old Door No. 46, New Door No. 6, Padi Puthu Nagar, 8th Street, Anna Nagar Western Extension, Chennai - 600101, comprised in S.No. 253/14 Part of Padi Village, Ambattur Taluk, Chennai. This protection shall be provided within a period of two weeks from the date of receipt of a copy of this order.

4. With the above directions, this Writ Petition is disposed of. No costs

SMA

**25-06-2026**



WEB COPY

WP CrI. No. 1462 of 2



**G.K.ILANTHIRAIYAN, J.**

**SMA**

To

1. State Represented by its Inspector of Police  
V-3, JJ Nagar, Police Station,  
Thiruvallur District.
2. The Commissioner of Police  
Avadi Police Commissionerate,  
Avadi, Tiruvallur District.
3. The Public Prosecutor,  
Madras High Court.

**WP CrI. No. 1462 of 2026**

**25-06-2026**



WEB COPY

WP CrI. No. 1462 of 2

