

ORDERS ON I.A.NO.7

1. I.A.No.7 is filed by the Dhr., U/S.151 of CPC seeking an order to direct the jurisdictional South Police Station, Tanjavur to give police help to Special Ameen of this Court to execute the warrants.

2. Jdr., has objected to this application.

3. Heard both sides.

4. Perused the records.

5. Now, the point that do arise for my consideration is;

“Whether the relief as sought by the Dhr., in this application can be grant?”

6. My finding on the above said point is in the affirmative, for the following;

R E A S O N S

7. In the affidavit supporting to the application, the Dhr., stated that as per the order of this court dated 19.11.2022 for issue of arrest warrant against Jdr.No.1 & 2 through Special Ameen, the Special Ameen along with Dhr., had been to Tanjavur to the address of the Jdr., where the Jdr., found with the intervention of their advocate at Tanjavur and Corporator, the Jdr.'s have made galata and obstructed to execute the arrest

warrant and they threatened that they will call local persons and towards part payment issued DD for ₹1,00,000/- and if the police help not provided then the Dhr., could not execute the warrant. Hence, the present application filed.

8. I have gone through the order sheet. This Court vide order dated 19.11.2022, it is ordered for issue of arrest warrant against Jdr.No.1 to 3 and thereafter, arrest warrant issued through Special Ameen, which was returned unexecuted for want of police help. I have gone through the Central Process Nazir report wherein it is mentioned that arrest warrant unexecuted for want of police help. As the Jdr., have obstructed for execution of the warrant, it is just and necessary to provide police help for executing the warrant and thereby the Dhr., has made out grounds to grant the relief and accordingly I answer the above point in the affirmative and I proceed to pass the following;

O R D E R

I.A.No.7 filed U/S.151 of CPC is allowed.
Issue attachment warrant against Jdr.No.1 to 3
through the help of the police as prayed in the
application.

(Dictated to the Judgment Writer, after his transcription, corrected, signed and then pronounced by me in the Open Court dated this 5th day of September, 2023).

(RAJESHWARI N. HEGDE)
Principal District & Sessions Judge,
Davanagere.