



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.04.2016

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

W.P.(MD) No.8110 of 2016

Ameenul Bee

... Petitioner

vs.

1.The District Collector
Tirunelveli District
Tirunelveli

2.The Superintendent of Police
Tirunelveli District, Tirunelveli

3.The Deputy Superintendent of Police
Puliangudi District, Tirunelveli District

4.The State of Tamil Nadu
The Inspector of Police
Kadayanallur Police Station
Tirunelveli District

5.Abdul Wahab

6.Hazina

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus directing the second respondent to conduct an enquiry based on the petitioner's application, dated 09.03.2015, by giving sufficient notices and opportunities to the respondents 5 and 6 and conclude the same within a time stipulated by this Court.

For Petitioner : Mr.M.Suresh

For Respondents : Mr.D.Muruganandham

1 TO 4

Additional Government Pleader

O R D E R

The prayer in this writ petition is for issuance of a writ of mandamus to direct the second respondent to conduct an enquiry based on the petitioner's representation, dated 09.03.2015, and conclude the same within a stipulated period, after giving sufficient notices and opportunities to the respondents 5 and 6.



2. Heard the learned counsel appearing for the petitioner and Mr.D.Muruganantham, learned Additional Government Pleader appearing for the respondents.

3. It is seen that the petitioner, who is aged about 77 years, has given a representation, dated 09.03.2015, to the first respondent, seeking enquiry under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 and the said representation has been forwarded to the second respondent.

4. The learned Additional Government Pleader appearing for the respondents submitted that on the earlier representation given by the petitioner against her sons / respondents 5 and 6 the fourth respondent Police registered a case in Crime No.167 of 2015 and after completion of investigation they filed a final report before the learned Judicial Magistrate, Tenkasi, for the offences under Sections 294(b), 448, 429, 327 and 506(i) I.P.C., as against the respondents 5 and 6 herein. Whiles, the petitioner has once again sent the present representation, dated 09.03.2015 to the first respondent.

5. The learned counsel appearing for the petitioner submitted that even though F.I.R., was registered as stated above, still the petitioner is without protection from the aggression of her sons / respondents 5 and 6. Under such circumstances, this Court directs the petitioner to appear in person before the second respondent and give a fresh representation containing the very same contents as stated in the previous representation dated 09.03.2015. On receipt of such representation, the second respondent is directed to conduct an enquiry and take action in accordance with law, after giving sufficient opportunities to the respondents 5 and 6, within a period of two weeks thereafter.

6. Accordingly, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(P&A)

/True Copy/

Sub-Assistant Registrar

To:

1.The District Collector, Tirunelveli District, Tirunelveli.

2.The Superintendent of Police,
Tirunelveli District, Tirunelveli.

3.The Deputy Superintendent of Police,
Puliangudi District, Tirunelveli District.

4.The The Inspector of Police,
Kadayanallur Police Station, Tirunelveli District.

+One cc to The Special Government Pleader, SR.No.24172

+One cc to Mr.A.Ilaya perumal, Advocate, SR.No.23818

krk