



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 03.10.2016

Coram

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THE HON'BLE MR.JUSTICE **V.BHARATHIDASAN****Writ Petition (MD)No.10311 of 2011**

K.Ibrahim . . . Petitioner

-Vs-

1.The District Collector,
Sivagangai District.2.The Superintendent of Police,
Sivagangai.3.The State rep. By
The Inspector of Police,
Nerkuppai Police Station,
Thiruppathur Taluk,
Sivagangai District.

4.Seit @ Sekh Mohammed, . . . Respondents

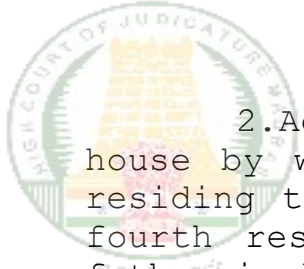
Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a WRIT OF MANDAMUS directing the respondents 1 and 2 to protect the Petitioner and the Petitioner's property and consequently direct the Respondents 1 and 2 to ensure the life and property of the Petitioner are protected and the petitioner is able to live with security and dignity as per section 20 of "Tamil Nadu Maintenance and Welfare of Parents and Senior Citizens Rules 2009".

For petitioner
For respondents
for 1 to 3

:Mr.S.Alagusundar
:Mr.K.P.Krishna Doss
Government Advocate

ORDER

The petitioner has filed this writ petition, seeking a direction, directing the respondents 1 and 2 to protect the petitioner and his property and consequently direct the respondents 1 and 2 to ensure the life and property of the petitioner with security and dignity as per section 20 of "Tamil Nadu Maintenance and Welfare of Parents and Senior Citizens Rules 2009".



2. According to the petitioner, the petitioner purchased a house by way of a registered sale deed on 04.12.1996 and he is residing there with his two sons and his wife already died. The fourth respondent is his second son and he is residing in his father-in-law's house. On 02.10.2010, the fourth respondent along with his wife came to the petitioner's house and caused severe injury and kept him under lock and key and the fourth respondent threatened him that he will not permit the petitioner to enter into the house. Hence, he made a complaint before the third respondent against the fourth respondent. He was left in the street, since he was thrown out of the house. In the above circumstances, he filed a civil suit in O.S.No.33 of 2011 on the file of the District Munsif Court, Thiruppathur and obtained an order of injunction. Even after that, the fourth respondent did not permit him to enter into the house. In the above circumstances, the petitioner, has filed the present writ petition.

3. Earlier, when the matter came up for hearing before this Court, on 09.09.2011, this Court directed the third respondent to conduct an enquiry and submit a report. Pursuant to the same, the third respondent conducted an enquiry and filed a report stating that there was a settlement between the petitioner and fourth respondent in the presence of the Jamathars and also entered into a settlement. As per the above settlement, the parties have settled the property. Now, once again, on 20.09.2016, the third respondent obtained another statement from the petitioner, wherein, it is stated that now, he is residing with his first son and he has partitioned the property and given it to his two sons and so far as the maintenance is concerned, the second son is willing to pay the amount to the first son. Now, as per the settlement, both the sons and the petitioner are living in a cordial atmosphere and no further action is required in the present writ petition.

4. A copy of the report is also given to the petitioner. The learned counsel for the petitioner is not in a position to deny the same.

5. Recording the above settlement report filed by the third respondent, this Court feels that no further adjudication is required in the present writ petition. Accordingly, this writ petition is closed. There shall be no order as to costs.

Sd/-

Assistant Registrar(Cr1.side)

/True Copy/



To

1.The District Collector,
Sivagangai District.

2.The Superintendent of Police,
Sivagangai.

3.The Inspector of Police,
Nerkuppai Police Station,
Thiruppathur Taluk,
Sivagangai District.

+1 cc to Special Government Pleader Sr.No.58286

W.P. (md) .NO.10311 of 2011
03.10.2016

SMA/GSV-PM/01.11.2016:2P/5C