

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 24.04.2017

CORAM

THE HONOURABLE MR. JUSTICE R.MAHADEVAN

W.P. No.9393 of 2017
& W.M.P.No.10360 of 2017

G.Krishnaveni @ D.S.Kumari .. Petitioner

Vs.

1.The Inspector of Police,
C-2, Police Station,
Elephant Gate, Chennai.

2.The District Collector,
Office of the District Collector,
Chennai.

3.Ramesh Kumar Darda .. Respondents

PRAYER : Writ Petition has been filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the first respondent to take suitable action on 3rd respondent for his act of illegally taking possession of property situated at House and all floor, bearing Old Door No.42, Old No.12, New No.28, Erullappan Street, Elephant Gate, Chennai, measuring total square feet 1333 and consequently direct 2nd respondent to ensure the life and property of the petitioner or protected and she 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. सत्यमेव जयते

For Petitioner : Mr.I.Arockia Selvaraj

For Respondent Nos.1 & 2 : Mr.K.Balamurugan
Government Advocate

O R D E R

The petitioner has come up with the present writ petition for a mandamus, directing the first respondent to take suitable action on the third respondent for his illegal act of taking possession of property situated at Old Door No.42, Old No.12, New No.28, Erullappan Street, Elephant Gate, Chennai, measuring

1333 sq.ft. and consequently direct the second respondent to ensure the life and property of the petitioner or protected and she 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.

2. It is the case of the petitioner that the third respondent had entered into an agreement dated 09.06.2011 for purchase of the petitioner's property for a sum of Rs.1,31,00,000/-, for which, he had paid a sum of Rs.60 lakhs. Thereafter, he has filed a suit in C.S.No.690 of 2012 for specific performance of the agreement dated 09.06.2011 and for possession of the property. In this connection, the petitioner made representation before the respondents 1 and 2 requesting them to give protection against the illegal act of the third respondent. Since no orders have been passed on the said representation, the petitioner has filed the present writ petition.

3. I have heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents 1 and 2.

4. In view of the limited prayer sought for by the petitioner, without going into the merits of the case, the respondents 1 and 2 are directed to consider the representation of the petitioner dated 10.04.2017, after due opportunity to the petitioner as well as the third respondent and pass appropriate orders, on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order.

5.The Writ Petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

सत्यमेव जयते
Assistant Registrar

//True Copy//

WEB COPY
Sub Assistant Registrar

sri

To

1.The Inspector of Police,
C-2, Police Station,
Elephant Gate, Chennai.

2.The District Collector,
Office of the District Collector,
Chennai.

+lcc to Mr.I.Arockiaselvaraj, Advocate, S.R.No.24494
+lcc to the Government Pleader, S.R.No.24998

W.P. No.9393 of 2017

SKV(CO)
RS(12/05/2017)



WEB COPY