

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.12.2018

CORAM

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P.No.15729 of 2018 and
WMP.No.18685 of 2018

M.Kasthuri

...Petitioner

..Vs..

1. The Union of India,
represented by the Chief Secretary,
Government of Pondicherry,
Pondicherry.
2. The Collector,
Government of Pondicherry,
Pondicherry.
3. The Senior Superintendent of Police,
Law and Order, Puducherry Police,
Pondicherry.
4. The Inspector of Police,
Odiyan Salai Police Station, Pondicherry.
5. M.Vizeyakumar

...Respondents

Prayer : Writ petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 1 to 4 to take action under Section 21 of The Maintenance and Welfare of Parents and Senior Citizens Act 2007 and to vacate the 5th respondent from the premises namely 1st floor, at No.426, M.G.Road, Puducherry.

For Petitioner : Mr.M.Devaraj

For Respondents : Mr.D.Ravichander
Additional Government Pleader
(Pondy) for R1 to R4

O R D E R

This Writ Petition has been filed seeking for a direction to the respondents 1 to 4 to take action under Section 21 of The Maintenance and Welfare of Parents and Senior Citizens Act 2007 and to vacate the fifth respondent from the premises namely the first floor, at No.426, M.G.Road, Puducherry.

2. The case of the petitioner is that the fifth respondent who is the son of the petitioner, was earlier employed in the France. He had no amicable relationship with the family of the petitioner. But, after retirement he settled in Puducherry and in order to renovate his house, he requested the petitioner to permit him to stay in her house at Puducherry and the petitioner also had permitted him to stay with her. But, taking advantage of her old age he is trying to grab the property belonging to her by threatening her with the help of hooligans. Hence, the petitioner has made a complaint to the respondents 1 to 4 on 30.09.2017 against the fifth respondent. Since, no action has been taken so far, the petitioner has come forward with the writ petition seeking for the aforesaid relief.

4. The learned Additional Government Pleader (Pondy) appearing for the respondents 1 to 4 would submit that no such complaint is pending before the respondents 1 to 4 and further submitted that a direction may be issued to the petitioner to submit a fresh complaint to the respondents 2 and 3 and on receipt of the same, the respondents 2 and 3 shall consider the same in accordance with law.

5. Considering the facts and circumstances of the case and also considering the submissions made, this Court directs the petitioner to give a fresh complaint to the respondents 2 and 3, as expeditiously as possible and on receipt of the same, the respondents 2 and 3 shall take action on the same on merits and in accordance with law, within a period of five weeks thereafter.

6. With the above direction, this writ petition stands disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS-III)

//True Copy//

Sub Assistant Registrar

arr

To

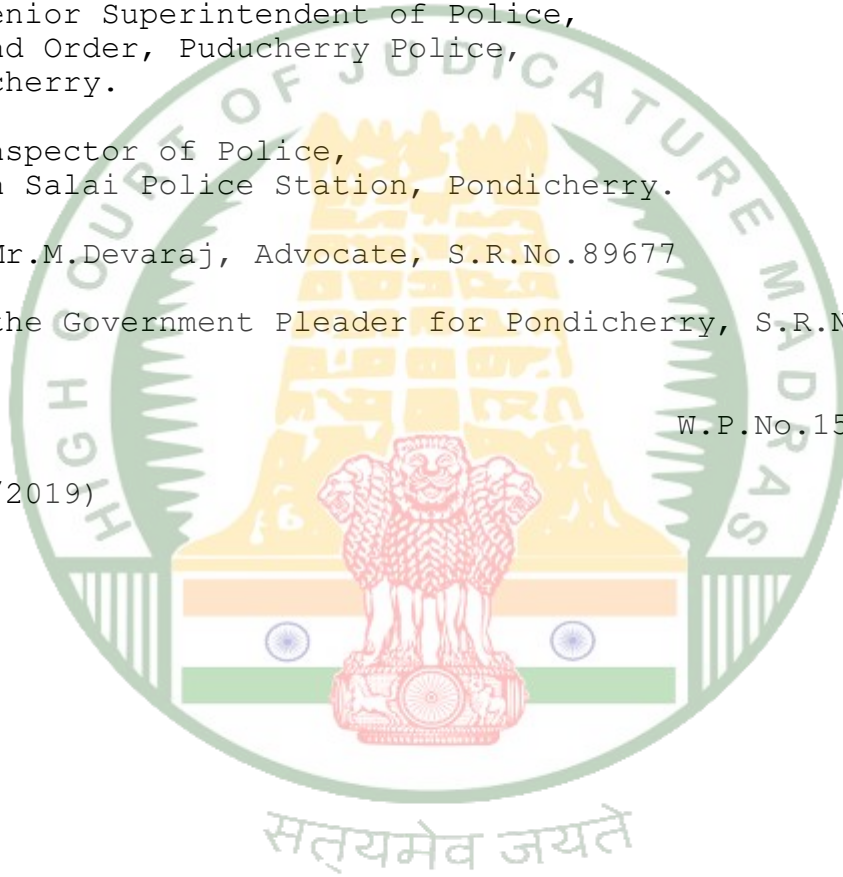
1. The Union of India,
represented by the Chief Secretary,
Government of Pondicherry,
Pondicherry.
2. The Collector,
Government of Pondicherry,
Pondicherry.
3. The Senior Superintendent of Police,
Law and Order, Puducherry Police,
Pondicherry.
4. The Inspector of Police,
Odiyan Salai Police Station, Pondicherry.

+1 cc to Mr.M.Devaraj, Advocate, S.R.No.89677

+1 cc to the Government Pleader for Pondicherry, S.R.No.89819

W.P.No.15729 of 2018

NRI (CO)
SSM(11/01/2019)



WEB COPY