

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.08.2019

CORAM :

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

WP.No.20821 of 2019
and
WMP.Nos.20018 & 20020 of 2019

Mrs.V.Geetha

..... Petitioner

Vs.

1. The Collector of Chennai,
Office of the District Collector of Chennai,
62, Rajaji Salai, Chennai 600 001.

2. The Inspector of Police,
G5, Secretariat Colony Police Station,
Kilpauk, Chennai - 600 012.

3. Rupa Ghosh

... Respondents

Prayer in WP.No.22443 of 2019: Writ Petition is filed under Article 226 of the Constitution of India, directing the respondents 1 and 2 to ensure that 3rd respondent and the illegal Occupant of the ground floor vacate and hand over the petitioner's entire house at No.97, (Old) 54 B/2, Secretariat Colony, 2nd street, kellys, Chennai 600 010 and provide necessary security to protect the petitioner and her property.

For Petitioner : Mr.C.A.Diwakar

For Respondent : Mr.C.Raghavan, (for R1 & R2)
Government Advocate (Criminal Side)
Mr.K.V.Kaviarasau (for R3)

O R D E R

This writ petition has been filed for a direction to the first respondent namely, the Collector of Chennai, to take action on the petition filed by the petitioner under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007.

2. The case of the petitioner is that the property in question was purchased by her husband and a house was constructed in the same. The son of the petitioner married the third respondent in the year 2008. They were permitted to reside in the said house. There was some matrimonial dispute between the third respondent and her husband.

3. In the meantime, the husband of the petitioner suffered from Parkinsons disease and required a change of place. Therefore, the petitioner along with her husband shifted their residence to Bangalore, since at that point of time, the son of the petitioner was stationed at Bangalore. In the meantime, the relationship between the third respondent and her husband completely broke down.

4. The petitioner and her husband came back to Chennai and they were prevented from entering into the house by the third respondent. Therefore, the petitioner filed a petition under Section 22(2) of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007, for a direction to permit the petitioner and her husband to live in their property and give proper protection to them. Since, this petition was not considered, the present writ petition has been filed before this Court.

5. Heard the learned counsel for the petitioner and the learned Government Advocate, appearing on behalf of the respondents 1 and 2.

6. The third respondent has been served notice and she is also represented by a counsel.

7. Taking into consideration the facts and circumstances of the case, there shall be a direction to the first respondent to immediately take the petition filed by the petitioner under Section 22(2) of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007, on file and call for an enquiry and pass necessary orders, within a period of three weeks from the date of receipt of copy of this order.

8. This Writ Petition is disposed of with the above direction. No Costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

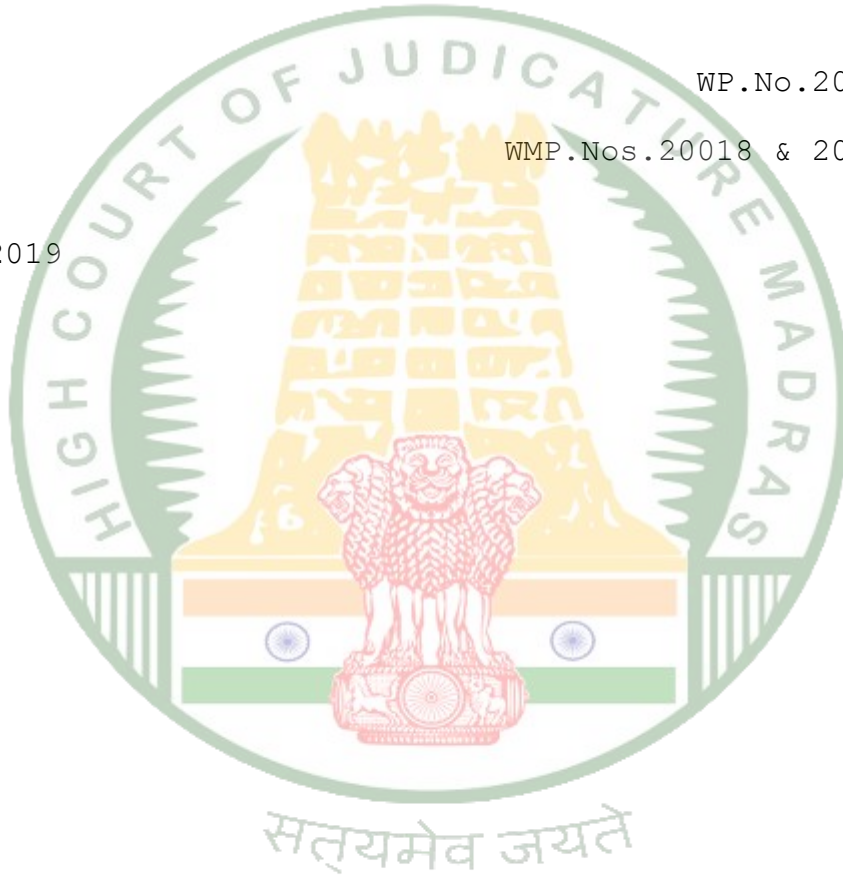
To

1. The Collector of Chennai,
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62, Rajaji Salai, Chennai 600 001.
2. The Inspector of Police,
G5, Secretariat Colony Police Station,
Kilpauk, Chennai - 600 012.

+lcc to Mr.C.A.Diwakar, Advocate sr.68175

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nr 09/08/2019



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