



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :30.01.2020

CORAM

THE HONOURABLE Mr.JUSTICE P.RAJAMANICKAM

W.P.No.2154 of 2020

PadalaSitamahalakshmi

..Petitioner

Vs

1. The Member Secretary  
Union Territory of Puducherry Legal Services Authority,  
No.3, Lal Bahadur Shastri Street,  
Puducherry-605 001.
2. The Superintendent of Police,  
Yanam Police Station,  
Yanam-533 464.
3. The Circle Inspector,  
Yanam Police Station,  
Yanam-533 464.
4. The Station House Officer,  
Yanam Police Department,  
Yanam-533 464.

5.P.Ganesh

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ order or direction in the nature of writ of Mandamus, to direct the respondents 2 to 4 herein and to grant petitioner police protection to petitioner person a property from and restrain the 5<sup>th</sup> respondent from causing threats to the petitioner, pursuant to the representations to the petitioner on 26.03.2018 and 24.01.2020.

For Petitioner : M/s.Ganthimathi

For R1 to R4 : Mr.V.Balamurugane

Public Prosecutor for Puducherry

O R D E R

This writ petition has been filed for issuance of writ of mandamus, to direct the respondents 2 to 4 herein and to grant petitioner police protection to petitioner person and property and restrain the 5<sup>th</sup> respondent from causing threats to the petitioner, pursuant to the representations of the petitioner on 26.03.2018 and 24.01.2020.



2.The learned counsel for the petitioner has submitted that the petitioner is aged about 62 years and she is a widow. She further submitted that the petitioner's husband was working as a Joint Director of Veterinary Department and he suddenly died on 02.05.2016 leaving certain properties. She further submitted that the petitioner had two sons, namely, P.Naveen and P.Ganesh. The first son P.Naveen was living with the petitioner along with his wife and two girl children. But, the younger son namely P.Ganesh, 5<sup>th</sup> respondent herein after the death of his father, joining hands with his wife and father-in-law started harassing and torturing the petitioner to part away all the properties. The petitioner has clearly stated that he is entitled to 1/3 share in the property left by his father and the same can be partitioned and given to him if there is any dispute with regard to the same, he can approach the Civil Court. She further submitted that the 5<sup>th</sup> respondent is not coming with any amicable settlement and he indulged in criminal activities and giving all kinds of torture to the petitioner and hence, a complaint was lodged by the petitioner before the respondents 2 to 4 on 26.03.2018 and 24.01.2020, however, as there was no action forthcoming, the petitioner requested the respondents 2 to 4 to provide police protection to her.

3.Per Contra, the learned Public Prosecutor Puducherry who is appearing for the respondents 1 to 4 has submitted that the petitioner has approached the Tribunal for maintenance and welfare of parents and senior citizens, Yanam by filing a petition in MWPS No.01/2019 seeking certain reliefs and the same is still pending. He further submitted that since dispute is between mother and son, the respondents 2 to 4 are not able to sort out the issue and keep the petitioner's representations pending.

4.Considering the facts and circumstances of the case, the 4<sup>th</sup> respondent is directed to conduct an enquiry on the petitioner's representations dated 26.03.2018 and 24.01.2020 by calling the petitioner and 5<sup>th</sup> respondent and dispose of the said representations within a period of two weeks from the date of receipt of copy of this order.

5.With the aforesaid directions, this Writ Petition is disposed of. No costs.

s/d-  
Assistant Registrar(CS-III)

True Copy

Sub-Assistant Registrar



To

1. The Member Secretary  
Union Territory of Puducherry Legal Services Authority,  
No.3, Lal Bahadur Shastri Street,  
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  2. The Superintendent of Police,  
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  3. The Circle Inspector,  
Yanam Police Station,  
Yanam-533 464.
  4. The Station House Officer,  
Yanam Police Department,  
Yanam-533 464.
- +1 CC to M/s. A.L. Gandhimathi, advocate sr 7790.  
+1 CC to The Public Prosecutor(Pondicherry) sr 7619.

W.P.No.2154 of 2020

CP(CO)  
SP(21/02/2020)