

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.09.2020

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THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.27729 of 2017

Gengachalam,  
S/o.Duraisami

... Petitioner

Versus

1.The Superintendent of Police,  
Cuddalore District.

2.The State,  
Rep by the Inspector of Police,  
Tittagudi Police Station,  
Cuddalore District.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the second respondent to provide Police protection to the petitioner and his wife.

For Petitioner : Mr.M.Velmurugan  
For Respondents: Mr.C.Iyyappa Raj  
Additional Public Prosecutor

O R D E R

The petitioner had filed this petition seeking Police protection to the petitioner and his wife against the harassment and assault at the hands of his son viz., Selvam.

2. The learned Additional Public Prosecutor submitted that during the pendency of this petition, on 19.12.2017 both the petitioner and his son Selvam appeared before this Court. The petitioner's son had given an undertaking that he will not indulge in any act against his father and torture his father and family. Thereafter, when the case came up for consideration on 14.09.2020, this Court passed the following order:

"No representation of behalf of the petitioner.

2. The learned Additional Public Prosecutor on verification submitted that the petitioner has three sons and two daughters, two sons were died and both the daughters were got married. The petitioner has sold the portion of his

agricultural land with well and power connection to a third person. The other portion of the land given to his son is without water source and power connection. Since the petitioner's son got no water for agriculture, he harassed the petitioner. The petitioner is living with his wife separately and the petitioner's son is living separately. He further submitted that now there is no harassment caused to the petitioner.

Post the matter on 18.09.2020."

3. Considering the submission made by the learned Additional Public Prosecutor that the petitioner's son has given undertaking before this Court and now there is no harassment for the petitioner nothing survives for further adjudication in this petition.

4. As per the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 the petitioner's son is bound to take care of his parents. Therefore, the petitioner is at liberty to approach the appropriate authority and this Court if any such harassment or torture occurs further.

5. With the above observations, this Criminal Original Petition is disposed of.

s/d-

Assistant Registrar (CS VII)

True Copy

Sub-Assistant Registrar

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To:

1. The Superintendent of Police,  
Cuddalore District.

2. The Inspector of Police,  
Tittagudi Police Station,  
Cuddalore District.

3. The Public Prosecutor,  
Madras High Court.

Cr1.O.P.No.27729 of 2017

NRJK (CO)  
SP (28/10/2020)