



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.07.2020

CORAM:

THE HONOURABLE Mr.JUSTICE R.PONGIAPPAN

CRL OP(MD)No.7333 of 2020

WEB COPY

N.Jeyaraman

...Petitioner

Vs.

1.The Revenue Divisional Officer,
Aruppukkottai,
Virudhunagar District.

2.The Inspector of Police,
Mallanginar Police Station,
Mallanginar,
Virudhunagar District.

3.Mookammal

4.Nagendran

...Respondents

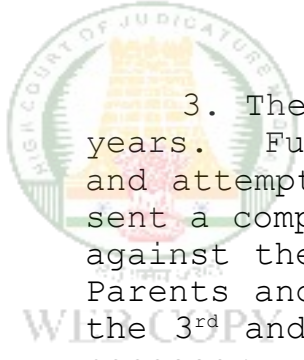
PRAYER: Petition filed under Section 482 of Criminal Procedure Code, seeking a direction, directing the 2nd respondent to give adequate police protection to the petitioner's life and limb.

For Petitioner	: Mr.R.Murugappan
For Respondents	: Mr.S.Chandrasekar
(R1 & R2)	Additional Public Prosecutor

O R D E R

This Criminal Original petition has been filed, seeking a direction, directing the 2nd respondent to give police protection to the petitioner's life and limb.

2. The case of the petitioner is that he is the husband of the 3rd respondent, also he is father to the 4th respondent. The petitioner is an Astrologer by profession. In his village, he purchased a land in the 3rd respondent's name and constructed a concrete house, by spending Rs.50,00,000/- and thereafter, he was residing there. Further, the petitioner constructed another one house, by spending Rs.9,00,000/- , in the 3rd respondent's ancestral's land. Furthermore, the petitioner deposited Rs.3,50,000/- in the 3rd respondent's name in Pandiyan Grama Bank, Mallanginar, Virudhunagar District. Now, the respondents 3 and 4 are thrown out the petitioner from his house and refused to protect him by giving food, dress, accommodation and medical aid.



3. The petitioner is the senior citizen and he is aged about 69 years. Further, the 3rd and 4th respondents scolded the petitioner and attempted to kill him. Therefore, on 29.06.2020, the petitioner sent a complaint to respondents 1 and 2, for taking necessary action against the 3rd and 4th respondents, under Maintenance and Welfare of Parents and Senior Citizen Act, 2007 (herein after the Act), since the 3rd and 4th respondents are having the money and muscle power, necessary protection from the 2nd respondent is necessary to the petitioner for safeguarding his life and limb.

4. The learned counsel appearing for the petitioner would submit that in earlier days, when at the time the petitioner was having the power to earn money, the respondents 3 and 4 herein received the earnings of the petitioner. Thereafter, when the petitioner became a senior citizen, both of them refused to maintain him, which is against the provisions of the said Act. Only for the reasons that the petitioner lodged a complaint against the 3rd and 4th respondents, now the 4th respondent, being the young man colluded with the 3rd respondent, threatened the petitioner.

5. The learned Additional Public Prosecutor appearing for the respondent Police would submit that on the complaint given by the petitioner, the 2nd respondent has initiated enquiry in CSR No.188 of 2020 and as of now, the same is pending on the file of the 2nd respondent. Similarly, another one enquiry was also initiated by the 2nd respondent in CSR No.99 of 2020, for the complaint given by the 3rd respondent against the petitioner. He would further submit that the first respondent is undertake to safeguard the rights and interest of the petitioner under the said Act.

6. In general, under Section 5 of the said Act, if any senior citizen wanted to file an application for maintenance under Section 4 of the said Act, the same has to be filed before the Tribunal, which presided over by the first respondent having jurisdiction in the area in which the senior citizen was resides.

7. However, recording the submissions made by the learned Additional Public Prosecutor, this Criminal Original Petition is disposed of with a direction to the 1st and 2nd respondents herein, to give necessary protection to the petitioner, if necessary.

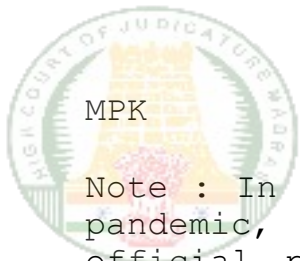
Sd/-

Assistant Registrar ()

// True Copy //

/ /2020

Sub Assistant Registrar(CS)



MPK

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

- 1.The Revenue Divisional Officer,
Aruppukkottai,
Virudhunagar District.
- 2.The Inspector of Police,
Mallanginar Police Station,
Mallanginar,
Virudhunagar District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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KB(24.07.2020) 3P 4C