



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.09.2021
CORAM

WEB COPY

THE HON'BLE MR.JUSTICE R. MAHADEVAN

W.P.No.20679 of 2021

Velayudham

...Petitioner

versus

- 1.The District Collector,
Collectorate,
Railway Station Road,
Coimbatore-18.
2. The Revenue Divisional Officer,
Coimbatore (North),
Goundampalayam,
Mettupalayam Main Road,
Coimbatore.
3. The Tahsildar (North)
Dr.Balasundaram Road,
Coimbatore-18.
4. N.Krishna Samraj
5. M/s.SNR Trust,
represented by its Managing Trustee
No.9, Narayanapuram,
Pappanaickenpalayam,
Coimbatore 641 037
6. TSR Kannaiyan
7. TRK Saraswathi
8. K.Sakthivel

...Respondents

Writ Petition under Article 226 of the Constitution of India praying for a Writ of Mandamus directing the respondents 1 and 2 to consider the petitioner's representation dated 23.08.2021 in accordance with the provisions of Maintenance and Welfare of parents and Senior Citizen Act 2007, r/w Rules, consequently direct the second respondent to issue necessary orders against the respondents 4 to 8 so as to protect the life and property of the petitioner.

For Petitioner : Mr.C.Mohanraj
For Respondents : Mr.G.Krishnaraja
Govt. counsel



O R D E R

Mr. G. Krishnaraja, learned Government Counsel, takes notice for the respondents 1 to 3. By consent of both the parties, the writ petition is taken up for final disposal at the time of admission itself.

2. According to the petitioner, he had inherited the properties comprised in Survey Nos.161/1, 161/3, 158, 159, 178 measuring a total extent of 22 acres 38 cents at Ganapathi Village, Coimbatore District from his forefather viz., Karuppani Pandaram, who obtained the same by way of gift. In the year 1952, the Railway department acquired 0.54 cents from the said properties, for which, compensation was awarded. While so, the respondents 4 to 8 fraudulently obtained patta as if they were in possession and enjoyment of the said properties, through which, they trespassed into the petitioner's properties to an extent of 6 acres and erected unauthorised constructions therein. Further, they are attempting to receive the compensation amount awarded to the petitioner. Hence, the petitioner sent a representation dated 23.08.2021 to the respondents 1 to 3 requesting to take necessary action under the provisions of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007. Finding no response on the said representation, he has come up with this writ petition seeking appropriate direction to the respondent authorities to take action against the respondents 4 to 8 so as to protect his life and properties.

3. Heard both sides and perused the materials available on record.

4. Considering the limited relief sought by the petitioner, this Court without going into the merits of the case, directs the respondent authorities to consider the petitioner's representation dated 23.08.2021 and pass appropriate orders, on merits and in accordance with law, after affording an opportunity of personal hearing to the petitioner as well as the respondents 4 to 8, within a period of eight (8) weeks from the date of receipt of a copy of this order.

5. Accordingly, this writ petition stands disposed of. No costs.

s/d-
Assistant Registrar(CS-IV)

True Copy

Sub-Assistant Registrar



To

1. The District Collector,
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Coimbatore-18.
2. The Revenue Divisional Officer,
Coimbatore (North),
Goundampalayam,
Mettupalayam Main Road, Coimbatore.
3. The Tahsildar (North)
Dr. Balasundaram Road,
Coimbatore-18.

+1 CC to Mr. C. Mohanraj, Advocate sr 50064.

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EV(CO)
SP(13/10/2021)