



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.12.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

WP (MD) No.17074 of 2021

S.Petchiammal

... Petitioner

vs.

1.The Superintendent of Police,
Tirunelveli, Tirunelveli District.

2.The Deputy Superintendent of Police,
Thalaiyuthu, Tirunelveli District.

3.The Sub Inspector of Police,
Devarkulam Police Station,
Tirunelveli District.

4.K.Madasamy

5.V.Ramakutty

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the respondents 1 to 3 to give police protection to the petitioner and her property situated in Survey No.564/5 measuring 40 cents situated at Vannikonenthal Village, Sankarankovil Taluk, Tirunelveli District as per Rule 21 of the Tamil Nadu Maintenance and Welfare of Parents and Senior Citizens Rules, 2009.

For Petitioner : Mr.R.J.Karthick

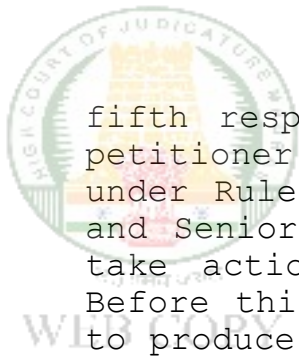
For Respondents : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor
for R1 to R3

Mr.F.X.Eugene for R5

ORDER

Heard the learned counsel for the petitioner, the learned Additional Public Prosecutor for R1 to R3 and the learned counsel appearing for the fifth respondent. Though the fourth respondent has been served and his name is also printed in the cause list, he has not chosen to enter appearance.

2.The petitioner is a lady senior citizen aged about 66 years. In respect of the petition mentioned property, she has already obtained a declaratory decree in her favour in O.S No.419 of 1997 on the file of the Principal District Munsif, Sankarankovil. The petitioner has also filed an injunction suit in O.S No.122 of 2005 on the file of the Additional District Munsif Court, Sankarankovil and obtained decree dated 12.04.2006 in her favour Of course, the



fifth respondent is not a party to the said decree. Since the petitioner is a senior citizen and the local police have a duty under Rule 21 of the Tamil Nadu Maintenance and Welfare of Parents and Senior Citizens Rules, 2009, I direct the second respondent to take action on the petitioner's representation dated 08.02.2021. Before this Court, the fifth respondent has not been in a position to produce any material in support of his claim that he has been in occupation of the said property for the last fifty years. The second respondent is directed to conclude the matter on merits and in accordance with law within a period of four weeks from the date of receipt of copy of this order after due notice to the fifth respondent.

3.The writ petition is disposed of.

Sd/-

Assistant Registrar (CS II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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 Superintendent of Police,
Tirunelveli, Tirunelveli District.
- 2.The Deputy Superintendent of Police,
Thalaiyuthu, Tirunelveli District.
- 3.The Sub Inspector of Police,
Devarkulam Police Station,
Tirunelveli District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.R.J.KARTHICK, Advocate (SR-39089[F] dated 16/12/2021)

+1 CC to M/s.F.X.EUGENE, Advocate (SR-39090[F] dated 16/12/2021)

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