



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.11.2021

CORAM

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

W.P. (MD)No.20248 of 2021

K.Balasubramaniam

... Petitioner

Vs.

1. The District Collector,
Thanjavur District,
Thanjavur.

2. The Superintendent of Police,
Thanjavur District,
Thanjavur.

3. The Inspector of Police,
Thanjavur Medical College police station,
Thanjavur.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents particularly the third respondent to take appropriate action on the complaint as expeditiously as possible and consider the petitioner's representation dated 19.09.2021.

For Petitioners : Mr.R.Srinivasan

For Respondents : Mr.T.Senthil Kumar,
Additional Public Prosecutor.

O R D E R

Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.

2. The petitioner is a senior citizen aged about 80 years. His son Sivakathir got married to one Umasankari in the year 2011. The petitioner's son is residing at Coimbatore. The petitioner with his wife is residing at Thanjavur. The petitioner's son and daughter-in-law had separated some time in the year 2016. The petitioner's son had also filed a petition for dissolving his marriage with her. While so, the petitioner's daughter-in-law along with her father and brothers had trespassed into the house of the petitioner on 12.03.2021 and harassed the petitioner and his wife. Such incidents had taken place on several occasions. In his representation dated 19.09.2021, the petitioner has set out all the details and the learned counsel brought them to my notice also. Since no action was taken by the third respondent, this writ petition came to be filed.



3. The learned counsel appearing for the petitioner also drew my attention to Rule 21 of Tamil Nadu Maintenance and Welfare of Parents and Senior Citizens Rules, 2009 in which the jurisdictional police have been mandated to take care of the safety of senior citizens. He would also point out that I have recently referred to the said Rule vide Order dated 09.11.2021 in Crl.O.P.(MD)No.17258 of 2021 (C.Ganapathy V The Superintendent of Police, Thoothukudi District and three others). No exception can be taken to the submissions made by the learned counsel appearing for the petitioner.

4. The learned Additional Public Prosecutor submitted that the respondents are fully cognizant of the situation. They have already enquired into the matter and they have obtained an undertaking from the petitioner's daughter-in-law and others and that they would no longer harass the petitioner and his wife. He would further submit that if there is a breach of the said undertaking, the third respondent will not hesitate to register First Information Report against the petitioner's daughter-in-law and others.

5. Recording the said undertaking, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (CRL)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

PMU

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 District Collector,
Thanjavur District,
Thanjavur.
2. The Superintendent of Police,
Thanjavur District,
Thanjavur.
3. The Inspector of Police,
Thanjavur Medical College police station,
Thanjavur.



4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.R.SRINIVASAN, Advocate (SR-34404[F] dated 12/11/2021)
W.P. (MD)No.20248 of 2021
11.11.2021

MGJ/PM(24.11.2021) 3P 6C