



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.03.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.[MD]No.4470 of 2022

WEB COPY

R.Kannan

... Petitioner

Vs.

1.The District Collector,
Kanyakumari District.

2.The Superintendent of Police,
Kanyakumari District.

3.The Revenue Divisional Officer,
Office at Collectorate Office Campus,
Nagercoil,
Kanyakumari District.

4.The Social Welfare Officer,
Office at Collectorate Office campus,
Nagercoil,
Kanyakumari District.

5.The Inspector of Police,
Vadaseri Police Station,
Kanyakumari District.

... Respondents

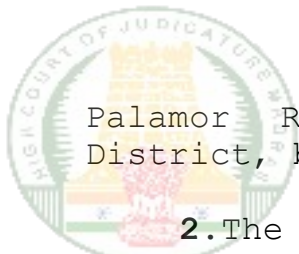
PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to give protection to the petitioner life and the petitioner property situated at Door No.210C1 situated at Palamor Road, Ward No.36, Nagercoil Corporation, Kanyakumari District by considering the petitioner's representation dated 11.01.2022.

For Petitioner : Mr.S.Ramasamy

For Respondents : Mr.T.Amjad Khan
Government Advocate

O R D E R

This Writ Petition has been filed for a Mandamus, seeking for a direction to the respondents to give protection to the petitioner's life and the petitioner's property situated at Door No.210C1,



Palamor Road, Ward No.36, Nagercoil Corporation, Kanyakumari District, based on the petitioner's representation dated 11.01.2022.

2.The petitioner claims that he is a senior citizen and one Mohamed Sherif is his tenant under a rental agreement dated 01.06.2017 for a period of five [5] years. He seeks protection under the provisions of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 [hereinafter referred to as 'the Act'] and its Rules on the ground that his tenant Mohamed Sherif through his henchmen has been threatening and harassing the petitioner. According to the petitioner, his tenant is compelling him to renew the lease in his favour with the assistance of his henchmen and anti-social elements. The petitioner has therefore given a representation dated 11.01.2022 to the official respondents under the Act and its Rules for taking action against his tenant Mohamed Sherif. Since the said representation has not been considered till date, the petitioner has filed this writ petition.

3.Heard Mr.S.Ramasamy, learned Counsel appearing for the writ petitioner and Mr.T.Amjad Khan, learned Government Advocate who accepts notice on behalf of the respondents.

4.Along with the writ petition the petitioner has filed the rental agreement dated 01.06.2017 entered into between the petitioner and Mohamed Sherif. It is the case of the petitioner that his tenant Mohamed Sherif is threatening and harassing him and is compelling him to renew the lease for a further period which the petitioner is not agreeable. As a senior citizen, the petitioner has given a complaint to the official respondents under the Act and its Rules, requesting them to take action against his tenant Mohamed Sherif for threatening and harassing him and the petitioner has also sought for protection from the police.

5.No prejudice would be caused to the respondents, if the representation of the petitioner is considered on merits and in accordance with law after affording a fair hearing to the petitioner and his tenant Mohamed Sherif as well as any other necessary party whom the first and second respondents deem fit to enquire.

6.Accordingly, this Court directs the first and second respondents to consider the petitioner's representation dated 11.01.2022 requesting the respondents to give protection to him and his property situated at Door No.210C1, Palamor Road, Ward No.36, Nagercoil Corporation, Kanyakumari District and pass final orders on merits and in accordance with law after affording a fair hearing to the petitioner and Mohamed Sherif, the petitioner's tenant within a period of twelve [12] weeks from the date of receipt of a copy of this order.



7. With the above direction, this Writ Petition stands disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar (A.D.I)

// True Copy //

WEB COPY

/ /2022

Sub Assistant Registrar(CS)

MR

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,
Kanyakumari District.
2. The Superintendent of Police,
Kanyakumari District.
3. The Revenue Divisional Officer,
Office at Collectorate Office Campus,
Nagercoil,
Kanyakumari District.
4. The Social Welfare Officer,
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Nagercoil,
Kanyakumari District.
5. The Inspector of Police,
Vadaseri Police Station,
Kanyakumari District.

+1 CC to M/s.SPL GP (SR-12164[F] dated 15/03/2022)

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_RD(30.03.2022) 3P 7C