



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.[MD]No.7709 of 2022

WEB COPY

R.Ushadevi

... Petitioner

Vs.

1.The District Collector,
Madurai, Madurai District.

2.The District Revenue Officer,
O.o, Collectorate Buildings,
Madurai District.

3.The Superintendent of Police,
O/o. The Superintendent of Police,
Madurai District.

4.The Inspector of Police,
Appanthiruapathi Police Station,
Madurai District.

5.P.Tamil Selvi

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 1 to 4 to give protection from the fifth respondent from any manner harassing the petitioner and to restrain the fifth respondent and his men from trespassing into her properties and to give the possession of petitioner's property situated in Plot No.50, Jankit Nagar, Surya Nagar, K.Pudur, Madurai District on the basis of her representation dated 09.04.2022 in the light of Rule 21 of the Tamil Nadu Maintenance and Welfare of Parents and Senior Citizens Rule, 2009.

For Petitioner
For R-1 to R-4

: Mr.K.Dinesh
: Mrs.S.Jeyapriya
Government Advocate

O R D E R

This writ petition has been filed seeking for a Mandamus to direct the respondents 1 to 4 to give protection from the fifth respondent from in any manner harassing the petitioner and to restrain the fifth respondent and her men from trespassing into the petitioner's property situated in Plot No.50, Jankit Nagar, Surya Nagar, K.Pudur, Madurai District, based on the petitioner's representation dated 09.04.2022, in the light of Rule 21 of the



Tamil Nadu Maintenance and Welfare of Parents and Senior Citizens Rules, 2009 [hereinafter referred to as 'the Rules'].

2. According to the petitioner, the fifth respondent is an ex-employee of the petitioner and she has forcibly taken possession of the petitioner's property situated in Plot No.50, Jankit Nagar, Surya Nagar, K.Pudur, Madurai District. The petitioner claims that she is a senior citizen and therefore, she has given a representation as per the provisions of Rule 21 of the Rules on 09.04.2022, seeking protection from the fifth respondent from harassment and for restoration of possession of the aforementioned property which according to the petitioner was forcibly taken possession by the fifth respondent. Since the said representation has not been considered till date, this writ petition has been filed.

3. Heard Mr.K.Dinesh, learned Counsel appearing for the writ petitioner and Mrs.S.Jeyapriya, learned Government Advocate who accepts notice on behalf of the respondents 1 to 4.

4. No prejudice would be caused to the official respondents, if the petitioner's representation is considered on merits and in accordance with law after affording a fair hearing to the petitioner and the fifth respondent.

5. For the foregoing reasons, this Court directs the third respondent to consider the petitioner's representation dated 09.04.2022 seeking for protection from the fifth respondent in the light of Rule 21 of the Rules and pass final orders on merits and in accordance with law after affording a fair hearing to the petitioner and the fifth respondent including granting them the right of personal hearing within a period of three [3] months from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar(CS-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

MR



To

1.The District Collector,
Madurai, Madurai District.

2.The District Revenue Officer,
O.o, Collectorate Buildings,
Madurai District.

3.The Superintendent of Police,
O/o. The Superintendent of Police,
Madurai District.

4.The Inspector of Police,
Appanthiruapathi Police Station,
Madurai District.

+1 CC to M/s.SPL.GP (SR-20926[F] dated 25/04/2022)

W.P.[MD]No.7709 of 2022
22.04.2022

SS(CO)
KB(17.05.2022) 3P 6C