



W.P(MD)No.18361 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 12.08.2022

CORAM :

THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

W.P(MD)No.18361 of 2022

G.Regini Ammal

...Petitioner

Vs.

1. The Commissioner of Police,
Madurai City,
Madurai.
2. The Deputy Commissioner of Police,
Madurai City,
Madurai.
3. The Assistant Commissioner of Police,
Anna Nagar Range,
Madurai.
4. The Inspector of Police,
Mattuthavani Police Station,
Mattuthavani,
Madurai District.
(CSR. Receipt No.5 of 2022).

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the fourth respondent police to complete the investigation on the petitioner's complaint in CSR. No.5 of 2022, dated 03.01.2022 and in accordance with law, within the time stipulated by this Court.



WEB COPY



W.P(MD)No.18361 of 2022

For Petitioner : Mr.P.M.Vishnuvarthanan
For Respondents : Mr.M.Sakthi Kumar
Government Advocate (Crl.Side)

ORDER

This Writ Petition has been filed seeking for issuance of a Writ of Mandamus directing the fourth respondent police to complete the investigation on the petitioner's complaint in CSR. No.5 of 2022, dated 03.01.2022 in accordance with law, within the time stipulated by this Court.

2. The learned counsel appearing for the petitioner submitted that the petitioner is aged about 80 years and she is suffering with cancer and she is a daughter-in-law of Gurusamy Naidu's Family, who is great grandfather of the petitioner's husband. There are various ancestral family properties in an around Uthangudi and recently, they sold the property situated at Uthangudi Main Road and the sale consideration was divided among the legal heirs and accordingly, the petitioner received a



W.P(MD)No.18361 of 2022

sum of Rs.40,57,000/- (Rupees Forty Lakhs and Fifty Seven Thousand only). One of the legal heirs, the petitioner's elder son, viz., G.Selvam (Proposed accused) having knowledge of the huge money in the petitioner hand, approached her with bad intention to grab the said money and played drama, as if, he need money for urgent transaction to his real-estate business and received Rs.20,00,000/- (Rupees Twenty Lakhs only) from the petitioner, by promising to return the same in couple of days, but he did not return the said amount. Thereafter, the petitioner realized that she was cheated by him. Immediately, she lodged a complaint before the 4th respondent police. The 4th respondent police based on the petitioner complaint, dated 02.01.2022 issued C.S.R.No.5 of 2022, on 03.01.2022. Thereafter, no action was taken. Hence the petitioner has filed the present Writ Petition.

3. The learned Government Advocate (Criminal Side) appearing for the respondents submitted that the petitioner gave a complaint against her son which was received and given C.S.R.No.5 of 2022, dated 03.01.2022. He further submitted that the petitioner's son approached this Court by filing CrI.O.P(MD) No.1245 of 2022 and got a direction not to



W.P(MD)No.18361 of 2022

harass him and to take action in accordance with law, hence, the complaint is pending.

4. I have considered the submission of both the learned counsel appearing on either side and perused the materials available on records.

5. On perusal of the records reveals that the petitioner is aged about 80 years and she is a lady and she is suffering from Cancer. In the year 2019, they sold the joint family property and the petitioner received one of the shares. Her son, by promising that he will repay the money, received a sum of Rs.20,00,000/-. But he acted as stated. Hence, the above said complaint has been lodged. I am of the view that as per the Tamil Nadu Maintenance and Welfare of Parents and Senior Citizens Rules, 2009, the police has be provide protection to the senior citizen.

6. In view of the above, the 4th respondent police is hereby directed to take action upon C.S.R.No.5 of 2022 and pass order on merits and in accordance with law, within a period of three weeks from the date of receipt of a copy of this order.



W.P(MD)No.18361 of 2022

WEB COPY

7. With the above direction, this writ petition is disposed of. No costs.

12.08.2022

Index :Yes/No

ebsi

Note: Issue order copy on 17.08.2022

To

1. The Commissioner of Police,
Madurai City,
Madurai.
2. The Deputy Commissioner of Police,
Madurai City,
Madurai.
3. The Assistant Commissioner of Police,
Anna Nagar Range,
Madurai.
4. The Inspector of Police,
Mattuthavani Police Station,
Mattuthavani,
Madurai District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



W.P(MD)No.18361 of 2022

V.SIVAGNANAM., J

ebsi

W.P(MD)No.18361 of 2022

12.08.2022