

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**DATED: 23.08.2022****CORAM****THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN****W.P.(MD)No.19209 of 2022**

Ruth Florance

... Petitioner

Vs.

- 1 The District Collector,
Tirunelveli District,
Tirunelveli.
- 2 The Sub Collector,
Tirunelveli, Tirunelveli District.
- 3 The Commisisoner of Police,
Tirunelveli City, Tirunelveli District.
- 4 The Tahsildar,
Palayamkottai, Tirunelveli District
- 5 The Inspector of Police,
Perumalpuram Police Station, Perumalpuram,
Tirunelveli District.
- 6 Ragu @ Sudhaganesh ... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 5th respondent to conduct investigation on the petitioner's representation dated 08.10.2020 and take suitable action under The Tamilnadu Maintenance and Welfare of Parents and Senior Citizens Act

2007 within the time stipulated by this Court.

For Petitioner : Mr.P.M.Vishnuvarthanan

For R-1 to R-5 : Mr.G.Sivaraja,
Government Advocate.

* * *

ORDER

Heard the learned counsel appearing for the writ petitioner and the learned Government Advocate appearing for respondents 1 to 5.

2. Considering the nature of relief to be granted, issuance of notice to the sixth respondent is dispensed with.

3. When the matter was taken up for hearing, the learned counsel fairly submitted that the petitioner is a retired Government servant getting pension. She will not fall within the scope of Section 4 of Maintenance and Welfare of Parents and Senior Citizens Act. Therefore, this writ petition stands dismissed at this stage as against the second respondent.

4. However, serious allegation has been made against her son. Such a complaint is pending before the fifth respondent. The fifth respondent is directed to conclude the enquiry within a period of two weeks from the date of receipt of a copy of this order. If the fifth respondent comes to the conclusion that cognizable offence has been made out, he is obliged to register FIR and take action as per law.

5. The first respondent shall bear in mind the statutory mandate set out in Rule 21 of Maintenance and Welfare of Parents and Senior Citizens Rules 2001 which envisages action plan to be drawn for protecting the lives and property of the senior citizens. This writ petition stands disposed of accordingly. No costs.

23.08.2022

Index : Yes / No

Internet : Yes/ No

PMU

G.R.SWAMINATHAN,J.

PMU

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