



W.P. No. 7489 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.11.2023

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 7489 of 2021

1. Meenan @ Muniyappan

2. Nagarani

... Petitioners

-VS-

1. The District Collector,
Krishnagiri District,
Krishnagiri.

2. The District Social Welfare Officer,
Krishnagiri District,
Krishnagiri.

3. The Revenue Divisional Officer,
Krishnagiri District,
Krishnagiri.

4. The Superintendent of Police,
Krishnagiri District,
Krishnagiri.

5. The Inspector of Police,
Royakottai Police Station,
Krishnagiri District.

6. P.Chinnapaiyan

7. Murigammal

8. Senraiyan



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9. S.Subramani

10. Rani

11. G.Shakthivel

12. S.Sudha

13. C.Perumal

14. P.Chinnaperumal

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the Third Respondent to conduct an enquiry based on the Petitioner's Application dated 22.02.2021 as per the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 and the Tamil Nadu Maintenance and Welfare of Parents and Senior Citizens Rules, 2009 by giving sufficient notices and opportunities to the Sixth to Fourteenth Respondents

For Petitioners : Mr. A.Ilaya Perumal

For Respondents : Mr. U.Baranidharan,
Additional Government Pleader
(for R1 to R3)

Mr. S.Rajkumar,
Additional Public Prosecutor
(for R4 & R5)

Mr. A.N.Rajan (for R6 to R12 & R14)

Not Ready in Notice (for R13)



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ORDER

Heard Mr. A.Ilaya Perumal, Learned Counsel for the Petitioner, Mr. U.Baranidharan, Learned Additional Government Pleader appearing for the First to Third Respondents, Mr. S.Rajkumar, Learned Additional Public Prosecutor appearing for the Fourth and Fifth Respondents and Mr. A.N.Rajan, Learned Counsel for the Sixth to Twelfth and Fourteenth Respondents and perused the materials placed on record, apart from the pleadings of the parties.

2. It is the case of the Petitioners that they are senior citizens and had made representation dated 22.02.2021 to the Second to Fifth Respondents that their life and property bearing Door No. 5/29, Pattipaarai Village, Palikanoor Post, Royakottai Taluk, Krishnagiri District, is at peril caused by illegal activities of the Sixth to Fourteenth Respondents, but as it did not evoke any response, it has necessitated the filing of this Writ Petition.

3. Learned Counsel for the Petitioners contends that the said representation has been made to the Second to Fifth Respondents invoking Rule 20(2) of the Tamil Nadu Maintenance and Welfare of Parents and Senior Citizens Rules, 2009, which envisages that it shall be the duty of the District Collector to ensure



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that life and property of senior citizens of the district are protected and they are able to live with security and dignity.

4. Having regard to the limited nature of relief sought, this Court without expressing any view on the merits of the controversy involved, passes the following order:-

- (i) the First Respondent shall immediately examine the representation dated 22.02.2021 made by the Petitioners to the Second to Sixth Respondents including ascertaining as to whether the Petitioners are senior citizens and would be entitled for the relief claimed;
- (ii) if it is found that any other details or supporting documents is necessary, the deficiencies in that regard shall be informed in writing to the Petitioners requiring the same to be furnished within a time frame of not less than 10 working days for the same;
- (iii) in the event of not being satisfied with the requirements even thereafter, an enquiry shall be conducted affording full opportunity of personal hearing to all persons concerned including the Petitioners and the Sixth to Fourteenth Respondents to explain their position in that regard; and



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(iv) a reasoned order shall be passed dealing with each of the contentions

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communicated to the concerned persons under written acknowledgment.

In the result, the Writ Petition is disposed on the aforesaid terms. No costs.

09.11.2023

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Index: Yes/No

Note: Issue order copy by 22.05.2024.

To

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Krishnagiri District,
Krishnagiri.
2. The District Social Welfare Officer,
Krishnagiri District,
Krishnagiri.
3. The Revenue Divisional Officer,
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4. The Superintendent of Police,
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P.D. AUDIKESAVALU, J.

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