



Writ Petition No.21607 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.07.2023

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.21607 of 2023

and

W.M.P.No.20979 of 2023

M/s.Athulya Assisted Living Pvt. Ltd.,
represented by its Authorized Representative,
Fredrick Antony,
Having registered office at
No.40, North Phase,
5th Cross Street, Kalaimagal Nagar,
Chennai - 600 032.

...Petitioner

Vs

1.State represented by its
The Commissioner of Police,
Greater Chennai Police,
Commissioner Office Building,
No.132, EVK Sampath Road,
Vepery, Chennai - 600 007.

2.The Inspector of Police,
T3, Pallavaram Police Station,
Pallavaram, Chennai - 600 043.

3.Olympia Grande Apartment Owners'
Welfare Association,
represented by its Secretary,
328, GST Road, Pallavaram,
Chennai - 600 043.

... Respondents



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PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents 1 and 2 to provide adequate police protection for the life and liberty of the Senior Citizens and the Staffs residing at Block No.15, Ward No.A, Olympia Grande, Tower C, 328, Grand Southern Trunk Road, Pallavaram, Chennai - 600 043.

For Petitioner : Mr.Abudu Kumar Rajarathinam, Senior Counsel
for Mr.G.Krishna Kumar

For Respondents : Mr.A.Damodaran
Additional Public Prosecutor [R1 & R2]

ORDER

This Writ Petition has been filed for a direction to the respondents 1 and 2 to give police protection based on the complaint given by the petitioner on 16.02.2023.

2. Heard Mr.Abudu Kumar Rajarathinam, learned Senior Counsel appearing for petitioner and Mr.A.Damodaran, learned Additional Public Prosecutor appearing for respondents 1 and 2.

3. The petitioner is running a Senior Citizen Home and is providing health care services for the elderly people. The petitioner claims that there



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are nearly 150 persons including senior citizens along with doctors and nurses, who are helping in running the old age home and the petitioner has also obtained necessary license in this regard. To substantiate the same, the Certificate of Registration and also the proceedings of the District Social Welfare Officer dated 03.05.2023 have been placed before this Court.

4. The grievance of the petitioner is that the persons in and around this place were causing threat to the petitioner and were bent upon causing problems, as a result, the petitioner was constrained to give a complaint to the respondent police on 09.07.2023. Pursuant to the same, a First Information Report came to be registered by the second respondent in Crime No.471 of 2023 for offences u/s.294(b), 352 and 506(i) IPC. In spite of registration of such a case, the threat perspective continues and hence, the petitioner has knocked the doors of this Court.

5. In the considered view of this Court, if the petitioner is running the Old Age Home by obtaining proper license from the concerned authorities and the same is recognised under the Maintenance and Welfare of Parents and Senior Citizens Rules, 2009 [for brevity 'the said Rules'] no one can be



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permitted to interfere with the same and cause any threat. In fact, Rule 24 of the said Rules specifically states that the life and property of the senior citizens are to be protected by the police. A similar provision is also available under Rule 21(v) of the said Rules. In view of the above, there shall be a direction to the second respondent to immediately take action against persons, who are causing disturbance or causing threat in running the Old Age Home. If required, protection shall also be given to the petitioner to ensure that no one interferes with the running of the Old Age Home.

This Writ Petition is disposed of with the above direction. No costs. Consequently, connected miscellaneous petition is closed.

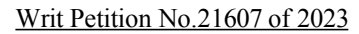
20.07.2023

Note: Issue order copy by 24.07.2023

Index : Yes/No
Speaking order: Yes/No
Neutral citation: Yes/No
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- N.ANAND VENKATESH, J**



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