



W.P(MD)No.2405 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.02.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.2405 of 2023

and

W.M.P.(MD)No.2187 of 2023

K.Padmavathi

... Petitioner

Vs.

1.The District Collector,
Tiruchirappalli District,
Tiruchirappalli.

2.The Tahsildar,
Tahsildar Office,
Thuraiyur Taluk,
Tiruchirappalli District.

3.Arulmigu Kamatchi Amman Karuppasamy Temple,
rep. By its
Managing Trustee,
Mr.K.Selvaraj,
Kadai Veethi,
Thuraiyur,
Tiruchirappalli District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the first respondent to consider and pass appropriate order to restrain the third respondent from dispossess the petitioner without following any due process of law.



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For Petitioner : Mr.R.Paranjothi

For Respondents : Mr.M.Lingadurai
Special Government Pleader for R1 & R2

ORDER

Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for R1 & R2.

2. The petitioner is a senior citizen. She apprehends unlawful dispossession by the third respondent. It is true that the jurisdictional police as well as the revenue authorities have to protect the property rights of senior citizens. Though such a mandate has been set out in the rules framed under the Senior Citizen Act, there is no specific scheme as such. The petitioner virtually wants the first respondent to pass an order of injunction against the third respondent. The statutory power of the first respondent to pass such an order is not quite clear. The petitioner can very well move the jurisdictional civil Court for appropriate relief. Such a remedy can not only be effective but also speedy. If the petitioner files any plaint, the same shall be numbered forthwith. Interim application that may be filed by the petitioner shall also be disposed of within a period of three weeks after it is filed.



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3. With this liberty to the writ petitioner to move the jurisdictional civil Court and direction to the learned trial munsif, the Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

07.02.2023

Index : Yes / No
Internet : Yes/ No
rmi

NOTE:Issue Order Copy on 08.02.2023.

To

- 1.The District Collector,
Tiruchirappalli District,
Tiruchirappalli.
- 2.The Tahsildar,
Tahsildar Office,
Thuraiyur Taluk,
Tiruchirappalli District.



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G.R.SWAMINATHAN, J.

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