



W.P.(MD)No.20533 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.08.2023

CORAM

THE HONOURABLE DR.JUSTICE D.NAGARJUN

W.P.(MD)No.20533 of 2023

Pappa

... Petitioner

Vs

1.The Commissioner of Police,
Madurai City, Madurai.

2.The Inspector of Police,
Thallakulam Police Station,
Madurai.

3.Meena

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the first respondent to take necessary steps to handover the possession to the petitioner in 40, P.T.Rajan Road, Narimedu, Madurai North, Madurai-625 002, as per 21 of the Maintenance and Welfare of the Parents and Senior Citizens Rule, 2009, based on the Revenue Divisional Officer, Madurai in மு.மு.எண்.1534/2023/ஜே, நாள்:11.07.2023.

For Petitioner : Mr.J.Gunaseelan Muthiah

For R-1 & R-2 : Mr.B.Thanga Aravindh
Government Advocate (Criminal Side)

For Intervener : Mr.D.Selvanayagam



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ORDER

WEB COPY

This Writ Petition is filed under Article 226 of the Constitution of India by way of Mandamus seeking for a direction to the respondent Police to implement the orders, passed by the Revenue Divisional Officer, Madurai, in Moo.Mu.No.1534/2023/J, dated 11.07.2023.

2. It is submitted by learned counsel for the petitioner that the petitioner is a senior citizen and his son passed away and his daughter-in-law, who has been residing in his house, has thrown him out of the house, thereby, he has no shelter. The petitioner has approached the Revenue Divisional Officer under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007, he has after completion of enquiry, directed the respondent Police to see that a pathway is being correlated by the petitioner to enter his house and see that the settlement deed is returned back to the petitioner. After obtaining the said order from the Revenue Divisional Officer on 11.07.2023, the petitioner has approached the respondent Police and filed an application along with the copy of the order. However, the respondent Police have not taken any action so far. Therefore, sought for suitable directions.

3. Learned Government Advocate (Criminal Side), on the other hand, submits that according to the orders passed by the Revenue Divisional



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Officer, there are no directions to see that the portion of the house property being claimed by the petitioner to be delivered to the petitioner from his daughter-in-law. It is further submitted that so far as the implementing orders passed by the Revenue Divisional Officer, dated 11.07.2023 is concerned, the respondent Police have initiated the enquiry and numbered as Current Paper No.R4/1616/35514/2023, dated 25.07.2023 and summons have been issued to the petitioner for appearance at today evening and assured that the respondent Police would complete the enquiry as quickly as possible.

4. In view of the submissions made by both sides, the respondent Police are directed to dispose of the representation, dated 20.07.2023, as quickly as possible not later than two weeks from the date of receipt of a copy of this order.

5. With the above direction, the Writ Petition is disposed of. No costs.

24.08.2023

NCC:yes/no
Index:yes/no
Internet:yes/no
tsg



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DR.D.NAGARJUN, J.

tsg

To

- 1.The Commissioner of Police,
Madurai City, Madurai.
- 2.The Inspector of Police,
Thallakulam Police Station,
Madurai.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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24.08.2023