



WEB COPY



W.P. No. 4149 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.02.2024

CORAM

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

W.P. No. 4149 of 2024

K.Sarala

... Petitioner

-VS-

1. The District Collector,
Office of Collectorate Building,
Thiruvallur.
2. The Revenue Divisional Officer,
Thiruvallur.
3. The Commissioner of Police,
Avadi Range,
Avadi.
4. Shantha
5. Prathap @ Appu
6. Somu
7. Monish @ Mohan

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the First Respondent to register the Petitioner complaint dated 09.09.2023 along with the complaint dated 11.09.2023 filed against by Fourth Respondent as per his order dated 30.12.2023 in Na. Ka. No. 51/2023/M4.



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For Petitioner : Mr. S.Suresh

For Respondents : Mr. S.J.Mohammed Sathik,
Government Advocate (for R1 & R2)

Mr. J.Subbiah,
Government Advocate (Criminal Side)
(for R3)

ORDER

Heard Mr. S.Suresh, Learned Counsel for the Petitioner and Mr. S.J.Mohammed Sathik, Learned Government Advocate, who takes notice for the First and Second Respondents and Mr. J.Subbiah, Learned Government Advocate (Criminal Side), who takes notice for the Third Respondent, and perused the materials placed on record, apart from the pleadings of the parties.

2. Having regard to the nature of order proposed to be passed in the Writ Petition, which would not cause any prejudice to the Fourth to Seventh Respondents, notice to them is dispensed with.

3. It is the case of the Petitioner that she is a senior citizen and had made representations dated 09.09.2023 and 11.09.2023 to the First Respondent that her life and property bearing Plot No. 3-A, measuring 1261 sq.ft. in S. No. 129, Noombal Village, Ambattur Taluk, is at peril caused by illegal activities of the



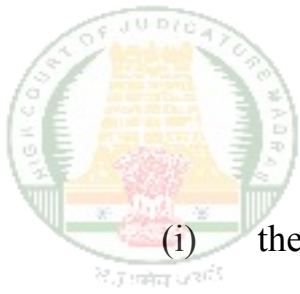
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Fifth to Seventh Respondents, but as it did not evoke any response, it has necessitated the filing of this Writ Petition.

4. Learned Counsel for the Petitioner contends that the said representations have been made to the First Respondent 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 that life and property of senior citizens of the district are protected and they are able to live with security and dignity.

5. It is further informed by Learned Government Advocate appearing for the First and Second Respondents that the jurisdictional Tahsildar would conduct enquiry on 06.03.2024 and submit his report to the First Respondent for taking further action in the matter.

5. 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:-



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- (i) the First Respondent shall immediately examine the representations dated 09.09.2023 and 11.09.2023 made by the Petitioner including ascertaining as to whether the Petitioner is a senior citizen 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 Petitioner requiring the same to be furnished within a time frame of not less than 3 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 Petitioner and the Fourth to Seventh Respondents to explain their position in that regard; and
- (iv) a reasoned order shall be passed dealing with each of the contentions raised on merits and in accordance with law and the decision taken communicated to the concerned persons by 31.03.2024 under written acknowledgment.

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



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Index: Yes/No

NCC: Yes/No

Note: Issue order copy by 11.03.2024.

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To

1. The District Collector,
Office of Collectorate Building,
Thiruvallur.
2. The Revenue Divisional Officer,
Thiruvallur.
3. The Commissioner of Police,
Avadi Range,
Avadi.

Copy to

1. The Registrar (Judicial),
Madras High Court,
Chennai – 600 104.
2. Shantha,
W/o. Ranganathan,
No. 10/3, Mettu Street,
Kamachi Nagar,
Noombal,
Poonamallee,
Chennai - 600 077.



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3. Prathap @ Appu,
S/o. Prabhu,
No. 1, Arikkarai Street,
Noombal,
Chennai - 600 077.
4. Somu,
S/o. Prabhu,
No. 1, Arikkarai Street,
Noombal,
Chennai - 600 077.
5. Monish @ Mohan,
S/o. Venkatesan,
No. 22, Kanabiran Street,
Noombal,
Chennai - 600 077.



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P.D. AUDIKESAVALU, J.

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