



WEB COPY

W.P.No.16194 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.02.2024

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. No.16194 of 2021

M.Muneer

... Petitioner

Vs.

- 1.The District Collector,
Collectorate,
Tiruvallur – 602 001.
- 2.The Revenue Divisional Officer,
O/o.The Revenue Divisional Officer,
Ponneri Taluk,
Thiruvallur District.
- 3.The Inspector General of Registration,
O/o.The Inspector General of Registration,
Sathome High Road,
Mylapore, Chennai – 600 004.
- 4.The Sub-Registrar,
Ponneri Sub-Registrar Office,
North Chennai Registration District,
Ponneri, Tiruvallur District.

5.M.Basheery

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India,



to issue a Writ of Mandamus, to direct the 1st respondent as a Chair person herein to consider the representation made before the 2nd respondent dated 24.12.2020 by this petitioner and ensure the safety of the petitioner's share of the mentioned scheduled property fraudulently acquired by the 5th respondent *vide* void release deed having document no.291 of 2019 dated 23.01.2019 before the 4th respondent and protect the dignity and financial safety of this petitioner.

For Petitioner	: Mr.A.Arunkumar
For R1 to R4	: Mr.T.Arunkumar Additional Government Pleader
For R5	: Mr.M.J.Jaseem mohamed

ORDER

The relief sought for in the present writ petition is to direct the 1st respondent to consider the representation submitted before the 2nd respondent dated 24.12.2020 and ensure the safety of the petitioner share of the mentioned scheduled property, which was fraudulently acquired by the 5th respondent *vide* void release deed having document No.291 of 2019 dated 23.01.2019 before the 4th respondent and protect the dignity and financial safety of the petitioner.

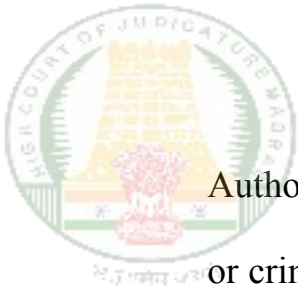
2. The petitioner has filed a complaint before the 2nd



respondent/Revenue Divisional Officer on 24.12.2020, to initiate appropriate actions under the provisions of the Senior Citizen Act. Since no action was taken further, a complaint was submitted to the District Collector. Therefore, the petitioner has filed the present writ petition.

3. This Court is of the considered opinion that on receipt of any complaint under the provisions of the Senior Citizens Act, the Competent Authority is bound to act without causing any delay. When the livelihood and safety of the senior citizen are protected under the special enactment, the Authorities Competent are bound to exercise their powers promptly to ensure protection of safety and livelihood of the Senior Citizen.

4. In the present case, though the complaint was made on 24.12.2020, no action has been taken. Thus, the respondents 1 and 2 are directed to conduct an enquiry with reference to the complaint submitted by the writ petitioner before the 2nd respondent on 29.12.2020, by affording opportunity to the parties and by following the procedures within a period of four (4) weeks from the date of receipt of a copy of this order. Pendency of a civil litigation or criminal cases is not bar for conducting an enquiry and to grant relief under the provisions of the Senior Citizen Act. Therefore, the



Authorities cannot keep the complaint pending on the ground that Civil case or criminal case are pending before the Court of law. The purpose and object of enactment is to safeguard the senior citizen and therefore, pendency of cases is not a bar for granting relief under the Act.

5. With these observations, the Writ Petition stands disposed of .

No order as to costs.

08.02.2024

veda

Index : yes/no

Speaking order/Non-speaking order

Neutral Citation : yes/no

To

1.The District Collector,
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2.The Revenue Divisional Officer,
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O/o.The Inspector General of Registration,
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Mylapore, Chennai – 600 004.

4. The Sub-Registrar,
Ponneri Sub-Registrar Office,
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S.M.SUBRAMANIAM, J.

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