



W.P(MD)No.18222 of 2021

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATE : 08.04.2024

CORAM:

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

W.P.(MD)No.18222 of 2021

and

W.M.P.(MD)Nos.15055 and 15056 of 2021

G.Rukmani

: Petitioner

Vs.

1.The District Collector,
O/o.The District Collector,
Tirunelveli District.

2.The Commissioner of Police,
O/o.The Commissioner of Police,
Palayamkottai, Tirunelveli District.

3.Shanthy

: Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 1 and 2 to consider the representation of the petitioner made on 02.09.2020 and protect the petitioner and her property situated in Town Survey Nos.1033, 1032, T.S.Ward-3, Block 9, 21st Ward, Thiruvembavai



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Street, Palayamkottai, Tirunelveli and to ensure the life of the petitioner are protected as per Rules 20 and 21 of the Tamil Nadu Maintenance and Welfare of Parents and Senior Citizens Rules, 2009.

For Petitioner : Mr.M.Mahaboob Fazil,
for M/s.T.Lajapathi Roy Associates.

For Respondents : Mrs.K.Christy Theboral,
Additional Government Pleader, for R1.

: Mr.R.Suresh Kumar,
Government Advocate (Civil Side),
for R2.

: Mr.Sarvagan Prabu, for R3.

ORDER

The Writ Petition has been filed seeking directions to the respondents 1 and 2 to consider the petitioner's representation, dated 02.09.2020 and protect the petitioner and her property situated in Town Survey Nos.1033, 1032, T.S.Ward-3, Block 9, 21st Ward, Thiruvembavai Street, Palayamkottai, Tirunelveli and to ensure the life of the petitioner are protected as per Rules 20 and 21 of the Tamil Nadu Maintenance and Welfare of Parents and Senior Citizens Rules, 2009.



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2. The learned counsel for the petitioner would submit that the property in dispute was owned by the petitioner's husband, who in turn obtained in a partition of ancestral properties; that the petitioner's husband died on 30.04.2015 leaving behind the petitioner, a daughter and a son, who is the husband of the third respondent and that the third respondent being the daughter-in-law has sent the petitioner out of the home forcibly and that therefore, the petitioner was constrained to make a representation before the first respondent invoking the provisions of Tamil Nadu Maintenance and Welfare of Parents and Senior Citizens Rules, 2009.

3. It is not in dispute that the Revenue Divisional Officer is the competent authority to decide the aspects raised in respect of the above Act. Since the petitioner has given a representation in the year 2020, she is at liberty to give a fresh representation before the concerned authority and on receipt of such representation, the concerned authority is directed to take the same on its file, issue notice to the necessary parties and decide the matter in accordance with law.



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4. With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.

08.04.2024

NCC :yes/No
Index :yes/No
Internet:yes/No
das

To

- 1.The District Collector,
O/o.The District Collector,
Tirunelveli District.
- 2.The Commissioner of Police,
O/o.The Commissioner of Police,
Palayamkottai, Tirunelveli District.



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K.MURALI SHANKAR,J.

DAS

Order made in
W.P.(MD)No.18222 of 2021
and
W.M.P.(MD)Nos.15055 and 15056 of 2021

Dated : 08.04.2024