



W.P(MD)No.20459 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.08.2024

WEB COPY

CORAM :

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

W.P(MD)No.20459 of 2024

R.Pandian

: Petitioner

Vs.

1.The Superintendent of Police,
Theni District, Theni.

2.The Inspector of Police,
Bodinaickkanur Taluk Police Station,
Bodinaickkanur, Theni District.

3.Ponmathi

: 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 take action against the third respondent and take action on the basis of the petitioner's complaint, dated 30.05.2024 and 22.07.2024.

For Petitioner : Mr.K.Guhan

For Respondents : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor, for R1 & R2.



W.P(MD)No.20459 of 2024

WEB COPY

ORDER

This writ petitioner filed this Writ Petition seeking for issuance of a Writ of Mandamus, directing the respondents 1 and 2 to take action against the third respondent and take action on the basis of the petitioner's complaint, dated 30.05.2024 and 22.07.2024.

2. The learned counsel for the petitioner would submit that the third respondent is the daughter-in-law of the petitioner; that since the third respondent has been threatening and interfering with the petitioner's possession, the petitioner was constrained to approach the RDO under the provision of Senior Citizen Act and the RDO has passed an order, dated 29.01.2024, directing the third respondent not to interfere with the petitioner's peaceful possession and enjoyment of the property in dispute and that thereafter, the third respondent has forcibly vacated the petitioner.

3. The learned Additional Public Prosecutor appearing for the State would submit that on the basis of the complaint given by the petitioner, enquiry was conducted in current paper and the third respondent has expressed her willingness to hand over the key for the ground floor, but



W.P(MD)No.20459 of 2024

the petitioner has refused to receive the possession and hence, directed the parties to approach the Civil Court for closing the matter.

4. As rightly contended by the learned counsel for the petitioner, the respondent Police has not taken into account of the order passed by the RDO and hence, the second respondent is directed to issue notice to the petitioner as well as the third respondent and consider the petitioner's representation taking note of the order passed by the RDO and pass orders within a period of two weeks from the date of receipt of copy of this order.

5. With the above direction, this Writ Petition stands disposed of.

No costs.

29.08.2024

NCC : Yes/ No
Index : Yes/No
Internet : Yes/ No
das



WEB COPY



W.P(MD)No.20459 of 2024

K.MURALI SHANKAR, J

das

To

- 1.The Superintendent of Police,
Theni District, Theni.
- 2.The Inspector of Police,
Bodinaickkanur Taluk Police Station,
Bodinaickkanur, Theni District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
W.P(MD)No.20459 of 2024

29.08.2024