



W.P.(CrI)No.320 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.07.2025

CORAM :

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

W.P.(CrI).No.320 of 2025 and
W.P.M.P.(CrI.).No.143 of 2025

R.Muniyammal

...Petitioner

Vs.

1. The District Collector/ Appellate Tribunal,
Collectorate, Dharmapuri District, Dharmapuri.
2. The Sub Collector/Sub Divisional Magistrate,
Dharmapuri, Dharmapuri District.
3. The Superintendent of Police,
Dharmapuri District.
Dharmapuri – 636 705.
4. The Inspector of Police,
Indur Police Station,
Dharmapuri District.
5. Perumal

..Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, 1950, praying for issuance of Writ of Mandamus, to direct the respondents 1 to 4 to give police protection to ensure safety and security to the petitioner and her property measuring 10 cents in SF No.5/1B and 58 ½ cents in SF



W.P.(CrI)No.320 of 2025

No.6/1B, Nathathahalli Village, Nallampatti Taluk, Dharmapuri District by considering her representations dated 24.06.2025 and 27.06.2025 as per the judgment dated 28.04.2025 made in W.A.No.935 of 2025 passed by the Division Bench of this Court.

For Petitioner : Mr.N.Manoharan

For Respondents : Dr.C.E.Pratap,
Govt. Advocate (CrI.Side)
for RR1 to 4

ORDER

This Writ Petition has been filed seeking directions to the respondents 1 to 4 to render police protection to ensure the safety and security to the petitioner and her properties.

2 Learned counsel for the petitioner submitted that the petitioner is a Senior Citizen and fifth respondent is her son. The petitioner requested 5th respondent, who is her eldest son to make arrangements for executing a settlement deed in favour of her 1st daughter, who was abandoned by her husband along with her three children. Subsequently the petitioner executed settlement deed in favour of her 1st daughter settling 12 cents in S.F.No.6/1B in her favour. Thereafter the petitioner came to know



W.P.(CrI)No.320 of 2025

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that under the guise of registering the above settlement deed, 5th respondent herein had fraudulently managed to register a bogus settlement deed in respect of the remaining 56½ cents in his name. Therefore the petitioner made complaint before the second respondent to cancel the bogus settlement deed under the provisions of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007, but the petitioner's complaint was rejected by the second respondent, as against which, the petitioner filed an appeal before the first respondent, which was also dismissed. Aggrieved over the same, the petitioner filed a Writ Petition in W.P.No.32 of 2024 before this Court , which was disposed of by directing the petitioner to approach the Civil Court, as against which, the petitioner filed an appeal in W.A.No.935 of 2025. The Division Bench of this Court, by its order dated 28.04.2025, directed the respondents 1 and 2 therein to restore the possession of the property and handover the same to the petitioner herein besides making all necessary entries in the revenue records.

2.1 Accordingly, possession was handed over to the petitioner with police protection besides effecting mutation. Thereafter 5th



W.P.(CrI)No.320 of 2025

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respondent herein disturbed petitioner's possession and also abused her with foul language and hence the petitioner gave complaint before the fourth respondent, for which, CSR also issued, no subsequent action was taken on the same. The fifth respondent caused continuous disturbance and the petitioner could not bear the same. Hence the petitioner made representations before the respondents 1 to 4 seeking police protection, which was not considered till date. Hence the present writ petition.

3 Learned Government Advocate (CrI.Side) for the respondents 1 to 4 would submit that summons were issued on 16.07.2025 directing the petitioner and the fifth respondent to appear before the respondent police on 17.07.2025.

4 Heard the learned counsel for the petitioner and the learned Government Advocate (CrI.Side) for the respondents 1 to 4 and perused the materials available on record.

5 It is seen that the petitioner gave complaint on 15.06.2025 and also given representations on 25.06.2025 and 27.06.2025



W.P.(CrI)No.320 of 2025

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and even after a month, no action was taken on the same. Now, after filing of this writ petition and the same is reflected in the cause list, all of sudden, the respondent police issued summons to the parties on 16.07.2025 directing them to appear before the police on 17.07.2025, which is violation of principles of natural justice. The police while summoning the litigants, has to give reasonable time to appear for enquiry. In the present case, the respondent police issued summons in a hurried manner.

6 However, the respondent police is directed to issue fresh summons to the parties giving sufficient time not less than 7 days and conduct enquiry and proceed further in accordance with law. Till then, the fourth respondent Station House Officer is directed to extend interim protection to the petitioner.

7 With the above directions, this Writ Petition shall stand disposed of. Consequently connected miscellaneous petitions is closed.



W.P.(CrI)No.320 of 2025

17.07.2025

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Speaking /Non-speaking order

To

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2. The Sub Collector/Sub Divisional Magistrate,
Dharmapuri, Dharmapuri District.
3. The Superintendent of Police, Dharmapuri District.
Dharmapuri – 636 705.
4. The Inspector of Police, Indur Police Station, Dharmapuri District.
5. The Public Prosecutor, Madras High Court.



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W.P.(CrI)No.320 of 2025

P.VELMURUGAN, J.

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W.P.(CrI.)No.320 of 2025

17.07.2025