



WEB COPY

W.P.No.36836 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.09.2025

CORAM

THE HONOURABLE Mr. JUSTICE A.D.JAGADISH CHANDIRA

W.P.No.36836 of 2025

and

WMP.No.41210 of 2025

Dr.Mariyappan

... Petitioner

Vs.

1.The Sub Collector,
Dharapuram, Tiruppur District.

2.The Deputy Superintendent of Police
Dharapuram.

3.Nandhini

4.T.P.Kalpana

5.R.Deepa

...Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus, direct the 1st respondent to consider and dispose of the petitioner's representation dated 10.07.2025 under the provisions of the Maintenance of Welfare of Parents and Senior Citizens Act, 2007.



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For Petitioner : Mr.Rajendraprasad K

For Respondents : Mr.V.Jeevagiridharan, AGP for R1 & R2.

ORDER

This Writ Petition has been filed seeking a direction to the 1st respondent to consider and dispose of the petitioner's representation dated 10.07.2025 in accordance with the provisions of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007.

2. The case of the petitioner is that he is a septuagenarian and a retired General Medical Practitioner. He was married to one Thilagavathi, who is currently in poor health and requires continuous care and attention. Respondents 3 to 5, who are the daughters of his wife through her first marriage with one Rathinasamy, have been repeatedly entering the petitioner's house under the pretext of visiting their mother.

3. On 11.06.2025, while the petitioner's wife was sleeping, Respondents 3 to 5 entered the petitioner's house, took the key from beneath her pillow and committed theft of gold jewellery from the cupboard. Respondents 3 to 5 have been unnecessarily interfering with the



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peaceful life of the petitioner and attempting to cause him financial harm.

They have also, without the consent of the petitioner's wife, withdrawn a sum of Rs.3,00,000/- from her bank account. Aggrieved by the continued harassment and unlawful activities of the aforementioned persons, the petitioner submitted a representation dated 10.07.2025 to the 1st respondent to take action against the respondents 3 to 5 under the provisions of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007. However, the 1st respondent, without conducting any enquiry, forwarded the petitioner's representation to the 2nd respondent. The 2nd respondent initiated proceedings in CSR No. 630 of 2025 and conducted a preliminary enquiry. However, no further action has been taken against Respondents 3 to 5. Hence, this Writ Petition.

4. The learned counsel for the petitioner would submit that the petitioner is a senior citizen and had filed a complaint against Respondents 3 to 5, who are the children of the petitioner's wife through her first marriage with Rathinasamy. However, instead of taking appropriate action under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007, the 1st respondent merely forwarded the complaint to the 2nd respondent. The 2nd respondent also failed to take any further action,



thereby the Writ Petition.

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5. The learned Government Pleader appearing for the respondents 1 and 2 would submit that the petitioner had attempted to misuse the provisions of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 and he would submit that admittedly, the complaint makes out a case for theft of gold jewellery belonging to the wife of the petitioner. The wife of the petitioner has not preferred any complaint so far. He would further submit that since the allegation in the complaint did not make out the case for enquiry under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007, the 1st respondent had forwarded the same to the 2nd respondent and the 2nd respondent is duly conducting an enquiry.

6. Heard the learned counsel for the petitioner and the learned Additional Government Pleader for the respondents 1 and 2 and perused the records.

7. A perusal of the materials available on record, including the complaint made by the petitioner dated 10.07.2025 under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007, reveals that the said



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complaint is not maintainable under the said Act. However, since allegations regarding theft of jewellery have been made, the 2nd respondent is directed to conduct an enquiry and proceed in accordance with law. The enquiry shall be completed within a period of three months from the date of receipt of a copy of this order.

8. With these observations, the Writ Petition stands closed. No costs.

Consequently, the connected Miscellaneous Petition is closed.

26.09.2025

Index : Yes/No
Speaking Order: Yes/No
Neutral Citation : Yes/No
(shr)

To

1.The Sub Collector,
Dharapuram, Tiruppur District

2.The Deputy Superintendent of Police
Dharapuram



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A.D.JAGADISH CHANDIRA. J.,

(shr)

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