



W.P.(MD) No.3683 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.02.2025

CORAM

THE HONOURABLE MR.JUSTICE P.DHANABAL

W.P(MD)No.3683 of 2025

Padmavathi

... Petitioner

Vs

1. The District Collector,
Thoothukudi District,
Thoothukudi.
2. The Superintendent of Police,
Thoothukudi District,
Thoothukudi.
3. The Deputy Superintendent Of,
Police, Vilathikulam,
Thoothukudi District.
4. The Inspector of Police,
Vilathikulam Police Station,
Thoothukudi District.
5. Chandra

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, for issuance of Writ of Mandamus, to the respondent no.4 to take necessary action on the complaint/representation dated 17.01.2025 and



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dispose it in a manner known to law within the stipulated period.

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For Petitioner : Mr.M.Jothi Basu

For Respondents :

For R1 : Mr.M.Senthil Ayyanar
Government Advocate

For R2 to R4 : Mr.R.M.Anbunithi
Additional Public Prosecutor (Crl. Side)

ORDER

This writ petition is filed by the petitioner to direct the 4th respondent to take necessary action on the representation of the petitioner dated 17.01.2025.

2. According to the petitioner, she is a senior citizen and her husband is a retired Head Constable and he died on 31.03.2023 leaving behind the petitioner, her son and two daughters as legal heirs. She has properties in Survey.No.514-4, 531-1B, 531-1J, Vilathikulam Village, Thoothukudi District and apart from that, the petitioner is also having land in Survey No. 44-2B, Kottanatham Village to an extent of 19 cents. While so, she executed settlement deed in favour of his son on 05.02.2014. The 5th respondent is the daughter-in-law who is working as Village Health Nurse and she has two sons. The husband of the petitioner



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before his death suffered by heart ailments and thereby, she spends a sum Rs.12,00,000/- for medical expenses, since her son refused to maintain her and her husband. Therefore, she submitted a representation dated 17.07.2023 to the Sub Collector, Kovilpatti, for taking necessary steps to cancel the settlement deed dated 05.02.2014, but the same was dismissed. Thereafter, on 26.02.2024, an enquiry was conducted by the Appellate Tribunal and a direction was passed to pay sum of Rs.5000/- per month as maintenance and the Village Administrative Officer is directed to ensure the payments. The 5th respondent and her sons thrown out the petitioner from the house and therefore, she lodged a complaint on 17.01.2025 before the 4th respondent and after receipt of the complaint, they given C.S.R.No.32 of 2025, but no action was taken. Hence, she filed this petition.

3. The learned Government Advocate appearing for the 1st respondent would submit that already the petitioner filed a petition before the Parents and Senior Citizen Welfare Tribunal / The Sub Collector and the same was dismissed and thereafter, an appeal was preferred against the order before the District Collector and passed an order dated 26.02.2024 directing the son of the petitioner to pay a sum of



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Rs.5000/- per month. Thereafter, the son of the petitioner died and now, the petitioner has filed this petition.

4. The learned Additional Public Prosecutor (Criminal Side) appearing for the respondents no.2 to 4 would submit that already based on the complaint, they have assigned C.S.R.No.32 of 2025 and made an enquiry, but the petitioner has not cooperated for the enquiry and she never appeared for enquiry. Therefore, they are unable to dispose of the representation of the petitioner.

5. Considering the relationship between the parties and relief sought for in the petition, this Court without issuing notice to the 5th respondent inclined to pass orders.

6. In this case, there is no dispute with the relationship between the parties and the petitioner is the mother-in-law of the 5th respondent and already she executed settlement deed in favour of his son. Thereafter, her son failed to maintain the petitioner and thereby, she filed an application before the Senior Citizens Welfare Tribunal and the same was dismissed and thereafter, the Appellate Tribunal passed an order by directing the son



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of the petitioner to pay a sum of Rs.5000/- per month. Till the death of her son, he paid a sum of Rs.5000/- per month and after his demise, the 5th respondent has not taken any steps to maintain the petitioner. Therefore, now she sent a representation before the respondent police, but they have not taken any steps. The learned Additional Public Prosecutor also not disputed that the complaint was lodged and C.S.R No.32 of 2025 was assigned, and the case is pending for enquiry. The only contention of the respondents no.2 to 4 is that the petitioner has not cooperated for the enquiry, therefore, it is appropriate to direct the petitioner to appear before the 4th respondent on 20.02.2025 for enquiry and thereafter, the 4th respondent is directed to complete the enquiry within one week.

7. With the above said direction, this writ petition is disposed of.

No costs.

12.02.2025

Internet :Yes
Index :Yes/No
NCC :Yes/No
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P.DHANABAL, J.

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- To
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- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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