



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-01-2026

CORAM

THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.4391 of 2025

L.Pankajam
W/o. (late) M.Loganathan,
No.05, N.G.G.O Nagar,
Moolappalayam, Erode.

Petitioner

Vs

1.The District Collector,
Erode District, Erode.

2.The Revenue Divisional Officer,
Erode Division, Erode District.

3.The Superintendent of Police,
Erode District, Erode.

4.The Inspector of Police,
Arachalur Police Station,
Erode District.

5.R.Somasundaram
S/o.K.N. Ramsamy Gounder,
Kothukkarar Veedu, Palakkattu
Thottam, Kaaroothuppalayam,
Avalpoondurai Village,
Erode Taluk and District,

6.Nirmala
W/o.Somasundaram,
Kothukkarar Veedu, Palakkattu
Thottam, Kaaroothuppalayam,
Avalpoondurai Village,
Erode Taluk and District.



7.Praveen,
S/o.Somasundaram, Kothukkarar
Veedu, Palakkattu Thottam,
Kaaroothuppalayam, Avalpoondurai
Village, Erode Taluk and District,

8.Naveen,
S/o.Somasundaram, Kothukkarar
Veedu, Palakkattu Thottam,
Kaaroothuppalayam, Avalpoondurai
Village, Erode Taluk And District,

Respondents

PRAYER

Writ Petition has been filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents 1 to 4 herein to take suitable legal action as against the respondents 5 to 8 herein under Section 24 of Maintenance and Welfare of Parents and Senior Citizens Act, 2007 by considering the petitioner's representation dated 02.07.2024 within a time frame to be fixed by this Hon'ble court.

For Petitioner

Ms.P.Neelavathy

For Respondents

Mr.A.M.Ayyadurai, GA for
R1 and R2
Mr.J.Subbiah, GA(Crl.Side)
R3 and R4

ORDER

The writ petition is filed for a Mandamus to take suitable legal action against the respondents 1 to 4 herein, based on the representation of the petitioner dated 02.07.2024 under Section 24 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007.



2. The grievance of the petitioner is that, the 5th respondent is the brother of the petitioner. He is having the custody of the mother of the petitioner. The petitioner was not even permitted to visit the mother. Therefore, the petitioner has made the above representation dated 02.07.2024.

3. A reading of Section 24 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007, it would be clear that whoever, having the care or protection of senior citizen leaves, such senior citizen in any place with the intention of wholly abandoning such senior citizen, shall be punishable with imprisonment of either description for a term, which may extend to three months or fine which may extend to five thousand rupees or with both.

4. Section 24 will not cover the instant fact situation, where the petitioner wants to have visiting right. It will be very much open to the petitioner to approach the appropriate Civil Court for her grievance against the 5th respondent including claiming visiting rights of her mother. There is no jurisdiction for the District Collector, Revenue Divisional Officer, Superintendent of Police or Inspector of Police in involving matter of such nature, unless expressly authorised by any statute. Maintenance of Senior Citizens Act provides certain remedies for the senior citizen to claim for maintenance, protection, dignity in life or for cancellation of any gift, that is made. The Act does not contain provision for the relief, that is prayed for before this Court. Therefore, keeping



open the liberty of the petitioner to approach the appropriate Civil Court with respect to her grievance, this Writ Petition stands disposed of. No costs.

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Neutral Citation:No
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To

1.The District Collector
Erode District, Erode.

2.The Revenue Divisional Officer
Erode Division, Erode District.

3.The Superintendent Of Police
Erode District, Erode.

4.The Inspector Of Police
Arachalur Police Station,
Erode District.



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D.BHARATHA CHAKRAVARTHY, J.

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