



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-01-2026

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THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

**WP No. 240 of 2026
and W.M.P.No.283 of 2026**

Ananthayee

Petitioner

Vs

1. The District Collector,
Villupuram, Villupuram District.
- 2.The Revenue Divisional Officer,
Tindivanam, Villupuram District.
- 3.The Superintendent of Police,
Villupuram, Villupuram District.
- 4.The Inspector of Police,
Kiliyanur Police Station,
Tindivanam Taluk, Villupuram District.
- 5.Ramesh,
Village President, Edaiyankulam Village,
Tindivanam Tk, Villupuram District.

Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for the issuance of Writ of Certiorarified Mandamus, to call for the records in Na.Ka. No.1179(A)/A2/2025 dated 01.08.2025 on the file of first respondent and quash the same as illegal and direct the respondents to provide adequate police protection live peacefully in the petitioner hut, Pillaiyar Koil Street, Edaiyankulam Village, Iraiyanur Post, Tindivanam Taluk, Villupuram District.



For Petitioner: Mr.R.Sankarasubbu

For Respondents: Mr.A.M.Ayyadurai
Government Advocate for R1 & R2

Mr.J.Subbaih
Government Advocate for R3 & R4

ORDER

The writ petition is filed challenging the impugned order Na.Ka. No.1179(A)/A2/2025 dated 01.08.2025 and to quash the same and consequently direct the respondents to provide adequate police protection and to live peacefully in the petitioner's hut at Pillaiyar Koil Street, Edaiyankulam Village, Iraiyanur Post, Tindivanam Taluk, Villupuram District.

2. Upon hearing the learned counsel for the petitioner and perusing the affidavit filed in support of the writ petition and the material records of the case, the grievance of the petitioner is that the petitioner is a widow and a senior citizen and is living separately in her hut. While so, merely because the petitioner belongs to a particular lower strata of society, on caste basis the neighbour of the petitioner is discriminating and is unduly interfering with the peaceful life of the petitioner. With that complaint earlier, when a representation was made to the District Collector, no doubt it is true that by order in W.P. No.40078 of 2024, this Court directed the District Collector to pass orders on the representation of the petitioner by giving due opportunity to both parties



after offering personal hearing. After undertaking the said exercise, the impugned order is now passed. The impugned order states that the prayer made in the representation is beyond the scope of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007.

3. *Mr.R.Sankarasubbu*, the learned counsel appearing on behalf of the petitioner, by pointing out Chapter V of the Tamil Nadu Rules framed in exercise of the power under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007, would submit that the Rules also enable the District Collector to ensure the safety and dignity of the senior citizens. In that view of the matter, when the safety and dignity of the petitioner is at peril, the Collector ought to have exercised the power and ought not to have passed the impugned order.

4. *Mr.A.M.Ayyadurai*, the learned Government Advocate appearing on behalf of the first and second respondents, would submit that the Collector has rightly passed the order as the Act is only concerned with maintenance and welfare and as per the Act, the powers granted to the Collector are in respect of ordering maintenance and cancellation of settlement and to pass such orders protecting the residents, etc., whenever the wards or other persons who are



supposed to maintain the senior citizens themselves are violating the rights of the senior citizens.

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5. *Mr.J.Subbiah*, the learned Government Advocate appearing on behalf of the police would submit that when the police sought to conduct an enquiry on the complaint given by the petitioner, the petitioner herself withdrew the complaint.

6. I have considered the rival submissions made on either side and perused the material records of the case.

7. It can be seen that the Act itself is to provide for more effective provisions for the maintenance and welfare of parents and senior citizens guaranteed and recognised under the Constitution and for matters connected therewith or incidental thereto. On reading the scheme of the Act, it can be seen that senior citizens and parents are entitled to file an application for maintenance under Section 4 and also make such other applications as per the Act. The Rules of the Government of Tamil Nadu are framed in exercise of the power under the Act and as such are to be read within the scope of the Act. The Rule that enables the District Collector is only to ensure the safety and welfare



of senior citizens/parents in the hands of the wards and also other persons who are liable to maintain the senior citizens. That cannot be interpreted beyond the scope of the Act to grant any relief even as against the neighbours. Therefore, the impugned order has rightly been passed directing the petitioner to approach the Civil Court. However, it can also be seen that the petitioner is a senior citizen and instead of making her run from pillar to post, the Court further considers the issue.

8. Since it is stated that on the ground of caste bias the petitioner's residence is being interfered with, the writ petition is *disposed of* on the following terms:

(i) The petitioner, within one week from the date of receipt of the web copy of the order, shall once again approach the fourth respondent, namely the Inspector of Police, Kiliyanur Police Station, Villupuram District, with a complaint.

(ii) The Inspector of Police, Kiliyanur Police Station, Villupuram District, shall once again conduct a preliminary enquiry and find out if the petitioner's possession is interfered with on caste bias. If the interference is on caste bias, due protection has to be granted. If the interference is due to any rival claim as to right, title or interest in respect of the property, then accordingly the complaint shall be closed with an advice to the petitioner to approach the Civil



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(iii) If the dispute is only with reference to the property, boundary or title, the petitioner shall also approach the Civil Court as against the neighbour who is interfering with her possession and enjoyment.

(iv) The Inspector of Police as well as the concerned forum shall consider the issue dispassionately with due importance, considering the fact that the petitioner is a senior citizen aged 70 years.

(v) Consequently, connected miscellaneous petition is also closed. No costs.

09-01-2026

Neutral Citation: Yes/No

ns1

To

1. The District Collector,
Villupuram, Villupuram District.

2. The Revenue Divisional Officer,
Tindivanam, Villupuram District.

3. The Superintendent of Police,
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