

HIGH COURT FOR THE STATE OF TELANGANA

Main Case : Writ Petition No.8131 of 2026

PROCEEDING SHEET

SL. No.	DATE	ORDER	OFFICE NOTE
01.	17.03.2026	<u>EVV, J</u> Notice before admission. Mr. M.Srinivas, learned Assistant Government Pleader for Home, takes notice for respondent Nos.1 to 3, waives further notice and seeks time to file counter. Learned counsel for the petitioners submits that without there being any power conferred upon respondent No.3, at the best of the <i>de facto</i> complainant, who is none other than the father and husband of the petitioners, respectively, an FIR has been registered against them <i>vide</i> FIR No.116 of 2026 for the offence punishable under Section 24 of Maintenance and Welfare of Parents and Senior Citizens Act, 2007 (for short “the Senior Citizens Act”). In so far as the Senior Citizens Act is concerned, learned counsel for the petitioners would submit that as per Section 22 of the Senior Citizens Act, powers have been conferred to the District Magistrate, who specified the Officer subordinate to him, to ensure that the provisions of the Senior Citizens Act are properly carried out. He would further submit that, in the instant case, without there being any powers being conferred upon respondent No.3, registering the crime against the petitioners itself is improper. These aspects can only be	<i>Transferred to IO folder before corrections, if any.</i>

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		ascertained certain upon filing of the counter by the respondents. In the meanwhile, since the imprisonment as specified under the Senior Citizens Act is upto three months imprisonment, a fine upto Rs.5,000/- or both, the present case falls within the ambit of the guidelines issued by the Hon'ble Apex Court in <i>Arnesh Kumar Vs. State of Bihar</i>¹. Hence, there shall be interim direction to the respondents-police not to take any coercive action against the petitioners on the pretext of conducting investigation in F.I.R.No.116 of 2026, except following the guidelines issued by the Hon'ble Apex Court in <i>Arnesh Kumar's case</i>. List on 21.04.2026. _____ EVV, J Dpm/gkv	

¹(2014) 8 SCC 273

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