

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 13-03-2015

CORAM:

THE HONOURABLE MR. JUSTICE T.S. SIVAGNANAM

W.P.No.26390 of 2014

1 R.Balusamy
S/o. Ramasamy No.9 Kovindharaj Nagar Raja
Kaadu Erode Petitioner

Vs

1 The District Registrar
Office of the District Registrar
Karungalpalayam Erode
2 The Inspector of Police
City Police Station Erode
3 B.Sakravarthy
S/o. R.Balusamy No.12 Govinda Raj Nagar
Rajakaadu Road Erode Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of writ of mandamus directing the 1st respondent herein to consider the representations dated 13.6.2014 of the petitioner

For petitioner :: Mr. A. Edwin Prabakar

For respondents :: Mr. R. Vijaya Kumar,
Additional Government Pleader
for R2

ORDER

The petitioner is the father of the third respondent and has filed the present writ petition stating that the third respondent is not taking care of him, despite the order passed in Na.Ka.No.7063/2013/A2 dated 11-03-2014 by the Revenue Divisional Officer, Erode under the provisions of Maintenance and Welfare of Parents and Senior Citizen Act, 2007(Central Act of 2007). It is seen that the order has been passed by the said authority on 11-03-2014 giving various reliefs to the petitioner. The petitioner now seeks for implementation of the said order by filing the present writ petition.

2. The petitioner has given a representation to the Revenue Divisional Officer dated 13-06-2014. However, the said authority is not a respondent before this Court. Furthermore, the Revenue

Divisional Officer, is not the authority to implement the order, but, he is the authority who has passed the impugned order issuing directions to the other authorities to take appropriate action. Therefore, the proper procedure to be followed is to submit a representation before the appropriate authorities to implement the order.

3. In view of the above, the writ petition is disposed of giving liberty to the petitioner to submit a representation to the competent authority for the purpose of implementation/execution of the order, dated 11-03-2014, along with a copy of this order, and as and when such representation is made, the said authority shall verify as to whether the order dated 11-03-2014 continues to remain in force and issue notice to the petitioner and the third respondent, and after hearing the parties concerned, pass orders on merits and in accordance with law. The concerned authority shall dispose of the matter within a period of eight weeks from the date of the said representation, if any being made.

4. The writ petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

glp
To

1 The District Registrar
Office of the District Registrar
Karungalpalayam Erode

2 The Inspector of Police
City Police Station Erode

1 cc to Mr.A. Edwin Prabakar ,Advocate, SR.No.14467

W.P.No.26390 of 2014

rsk(co)
pmk.27.3.2015

WEB COPY