

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.03.2015

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.29221 of 2013

&

M.P.No.1 of 2013

Smt. Devaki

... Petitioner

vs.

1. The District Collector
Kancheepuram District
Kancheepuram

2. The Divisional Revenue Officer
Office of the District Revenue Officer
Tambaram

3. The District Social Welfare Officer
Kancheepuram District
Kancheepuram

4. K.Ashok Kumar
S/o.G.Krishnan
Residing at Door No.15
Malai Mettu Street
(Panchayat Colony)
Pallavaram Municipality
Tambaram Taluk
Kancheepuram District

... Respondent

(R4 impleaded as per order dated 18.02.2014 in M.P.No.1 of 2014 in W.P.No.29221 of 2013)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the 2nd and 3rd respondents to conduct an enquiry on the petitioner complaint dated 25.08.2012 and dispose of the same without any further delay.

For Petitioner : Mr.N.Velayudam
For Respondents : Mr.S.Gunasekaran
Government Advocate for R1 to R3

Mr.Christopher Vijay for R4

ORDER

The petitioner is a senior citizen aged about 77 years and she has filed a complaint before the third respondent under the provisions of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 stating that the fourth respondent is refusing to take care of her. She has also stated that the settlement deed executed by her in favour of the fourth respondent has been cancelled and the same has been challenged by the fourth respondent by filing O.S.No.146 of 2012 on the file of the District Munsif, Chengalpattu.

2. It is seen that the third respondent has already enquired into the complaint and submitted a report to the second respondent.

3. The learned counsel for the fourth respondent submitted that the fourth respondent is ready and willing to take care of the petitioner, but she, on her own volition, is residing along with her sister.

4. Since the third respondent has already submitted a report to the second respondent, without going into the controversy raised by the petitioner or the contention raised by the fourth respondent, there shall be a direction to the second respondent to summon both the petitioner and the fourth respondent, conduct enquiry and pass orders on merits and in accordance with law within a period of four weeks from the date of receipt of a copy of this order.

5. The writ petition is disposed of with the above direction. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

gpa

To

1. The District Collector
Kancheepuram District
Kancheepuram

2. The Divisional Revenue Officer
Office of the District Revenue Officer
Tambaram

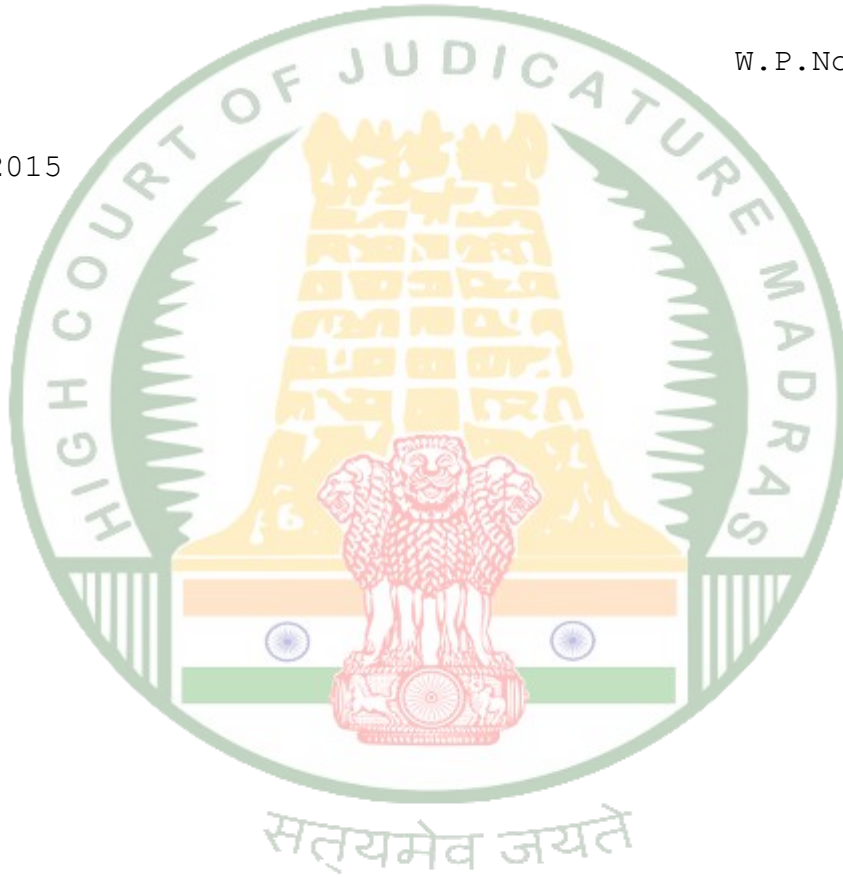
3. The District Social Welfare Officer
Kancheepuram District
Kancheepuram.

1 cc to Mr.Mr.N.Velayudam ,Advocate, SR.No.14327

1 cc to Mr. Christopher Vijay,Advocate, SR.No.14692

gj (co)
pmk.26.3.2015

W.P.No.29221 of 2013 &
M.P.No.1 of 2013



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