

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.09.2016

C O R A M

THE HON'BLE Mr.JUSTICE T.S.SIVAGNANAM

WP.No.32754 of 2016

S.Saroja

..Petitioner

Versus

1. The Revenue Divisional Officer &
Sub Divisional Officer,
Tambaram
Chennai - 600 045.

2. The Inspector of Police,
Pallavaram Police Station,
Pallavaram,
Chennai - 600 043.

3. Thulasi

..Respondents

Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of mandamus directing the Revenue Divisional Officer & Sub Divisional Officer, Tambaram, Chennai - 600 045, the first respondent herein to dispose of the application preferred by the petitioner under Section 4 of Maintenance and Welfare of Parents and Senior Citizens Act 2007 for protection and maintenance of the petitioner.

For Petitioner ... Mr.A.V.Arun

For R1&R2 ... Mr.P.Senthilvel, Govt.Advocate

ORDER

Heard Mr.A.V.Arun, learned counsel for the petitioner ; and Mr.P.Senthil Vel learned Government Advocate accepting notice for the respondents 1 and 2; and with their consent, the writ petition is taken up for final disposal.

2 The petitioner, in this writ petition, seeks for issuance of a writ of mandamus to direct the Revenue Divisional Officer & Sub Divisional Officer, Tambaram, Chennai - 600 045, the first respondent herein to dispose of the application

preferred by the petitioner under Section 4 of Maintenance and Welfare of Parents and Senior Citizens Act 2007 for protection and maintenance of the petitioner.

3 The grievance of the petitioner is that the petitioner is wife of Late. K.Sambandhan and she has approached this Court by way of this Writ Petition to direct the first respondent to take on file the application filed by her under Rule 3 of the Tamil Nadu Maintenance and Welfare of Parents and Senior Citizens Act, 2007, wherein she has claimed maintenance from the third respondent, her son. The application appears to have been received by the Registered Post and stated to have been delivered in the office of the first respondent and to be delivered in the office of the first respondent on 15.12.2015, based upon a tracking information obtained from the website of the postal department. It is not known as to why the application is yet to be entertained and whether the application is complete in all respects also cannot be readily ascertained. However, since the Writ Petition is disposed of without notice to the third respondent, the merits of the allegations made by the petitioner as against the 3rd respondent and his wife, Tmt.Vasanthi are not gone into and it is left open to be considered by the first respondent in the application filed by the petitioner.

5 In the light of the above, there will be a direction to the first respondent to consider the petitioner's application and if the same is in order, issue notice to the third respondent and his wife Tmt Vasanthi, and after hearing the parties, take decision in accordance with law, within a period of three weeks from the date of receipt of a copy of this order.

6 The writ petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

nvi/AP

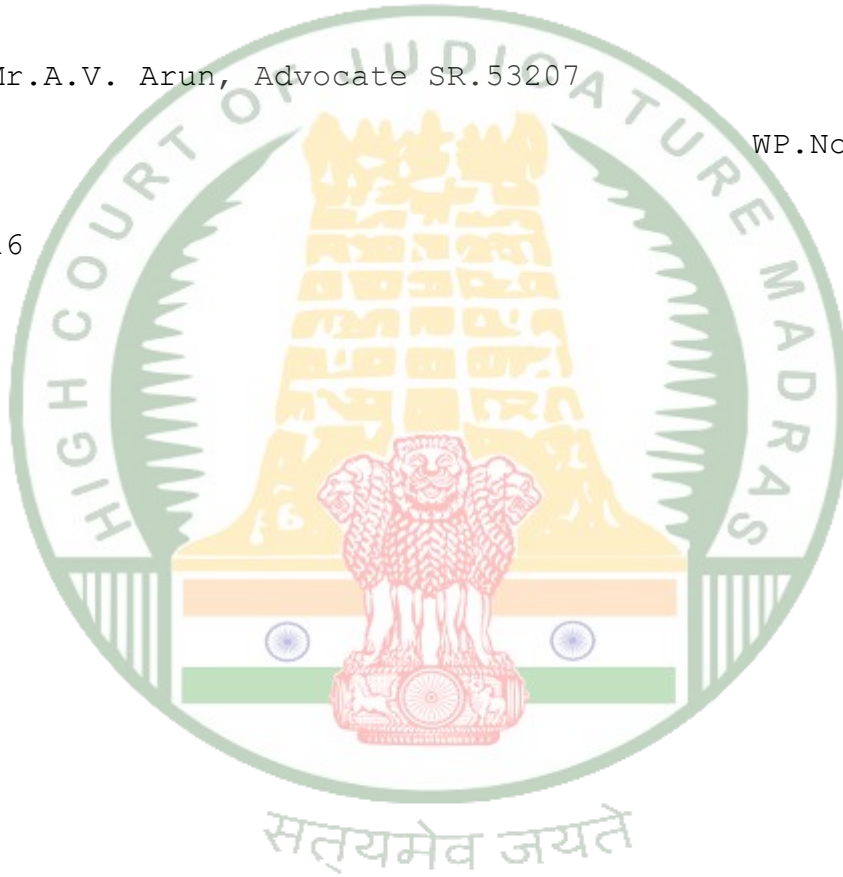
To

1. The Revenue Divisional Officer &
Sub Divisional Officer,
Tambaram
Chennai - 600 045.
2. The Inspector of Police,
Pallavaram Police Station,
Pallavaram,
Chennai - 600 043.

1 cc to Mr.A.V. Arun, Advocate SR.53207

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KGK(CO)
Eu 03.10.16



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