

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.11.2016

CORAM:

THE HONOURABLE MR. JUSTICE B.RAJENDRAN

W.P.No.36286 of 2016

K.Venkatasamy

.. Petitioner

Vs.

1. The District Collector,
Kancheepuram District.

2. Mr.Daniel

3. Priya

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of mandamus to direct the first respondent to consider the representation of the petitioner dated 17.02.2016 made under the Maintenance and Welfare of Parents and Senior Citizen's Act 2007 and take appropriate action.

For Petitioner : Mr.S.Selvathirumurugan

For Respondents : Mr.A.Kumar,
Special Government Pleader - R1

ORDER

Heard the learned counsel for the petitioner and the learned Additional Advocate General for the respondents.

2. This Writ Petition has been filed to direct the first respondent to consider the representation of the petitioner dated 17.02.2016 made under the Maintenance and Welfare of Parents and Senior Citizen's Act 2007 and take appropriate action.

3. The case of the petitioner is that the petitioner purchased the property situated in No.5/12, Pandian Street,

Meenambakkam Chennai and after purchasing the said property, he constructed a house in the ground floor and two floors with his own funds and by raising loan from the bank and by pledging his jewels and the jewels belonging to his wife. In the meanwhile, the petitioner's son, who is the second respondent herein married the third respondent and they were also living with the petitioner. While so, from the month of September 2015, the second and third petitioners started threatening the petitioner and his wife and daughters. Even the son of the petitioner had beaten the petitioner on 20.09.2015 and his son and daughter-in-law are ill-treating the petitioner and his wife and they are trying to sell the property and throw the petitioner and his wife from the property. The complaints given by the petitioner to the police are in vain. Therefore, the petitioner preferred an application dated 17.02.2016 to the first respondent under the Maintenance and Welfare of Parents and Senior Citizen's Act 2007. But not action was taken on the said application till date. Hence, the petitioner has come forward with the present Writ Petition.

4. The writ petitioner, who is a senior citizen seeks remedy under the Act. The only grievance of the petitioner is that inspite of his representation to the first respondent on 17.02.2016, it has not been considered till date. On a careful perusal of the representation of the petitioner, it reveals that the petitioner has given his grievance in the form of representation and not in the form as envisaged under the Act.

5. Hence, this Court directs the petitioner to make his grievance in the form envisaged under the Maintenance and Welfare of the Parents and Senior Citizens Act 2007 (Central Act 56 of 2007) and the Tamilnadu Maintenance and Welfare of Parents and Senior Citizens Rule 2009 and on such representation by the petitioner, the first respondent is directed to consider the same in accordance with law as expeditiously as possible.

6. With the above directions, this Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

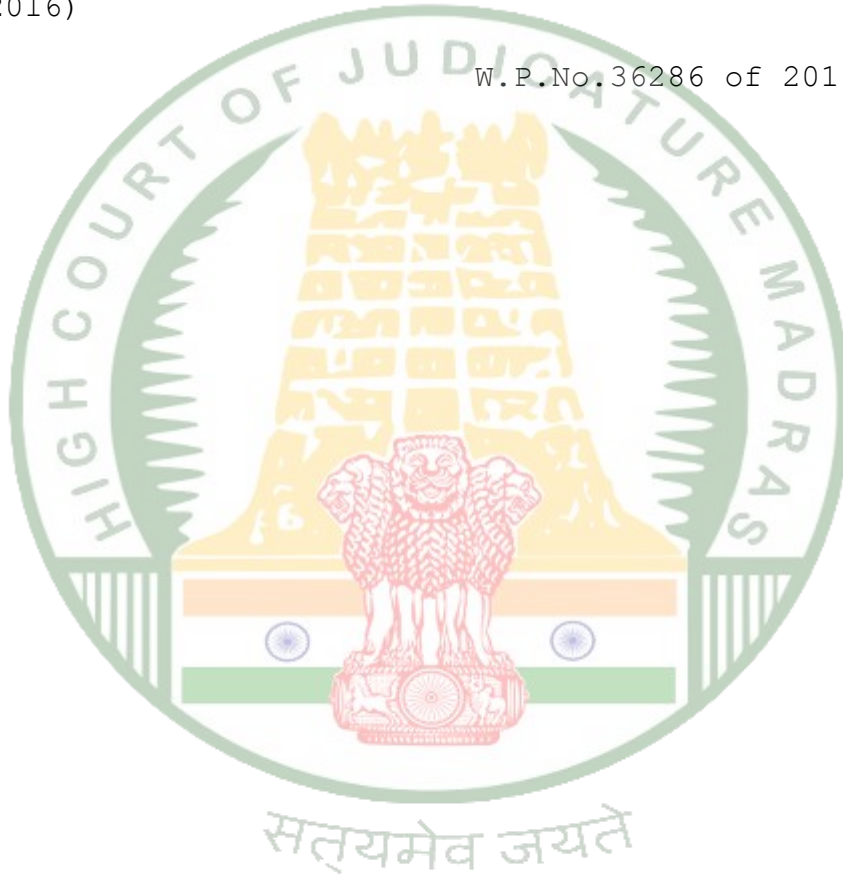
To

The District Collector,
Kancheepuram District.

+lcc to Mr.Selavathirumurugan, Advocate, S.R.No.63005
+lcc to the Government Pleader, S.R.No.63280

cnr(CO)
md(30/11/2016)

W.P.No.36286 of 2016



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