

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.04.2017

CORAM

The Honourable MR. JUSTICE M.DURAI SWAMY

W.P.No.10529 of 2017

K.Panneerselvam

[Petitioner]

Vs

- 1 The District Collector
Namakkal District Namakkal
- 2 The Revenue Divisional
Officer/Sub Divisional Magistrate
(Maintenance Tribunal) Tiruchengode
Namakkal District
- 3 Vijayanand Nataraj
- 4 Manivannaraj
- 5 Rajarajan

[Respondents]

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus directing the 2nd respondent to conduct an enquiry on the petitioner's petition dated 3.4.2017 and take action under Section 23 (1) of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007

For Petitioner : Mr.N.Manokaran

For Respondents : Mr.A.N.Thambidurai, SGP (R1-2)

ORDER

Mr.A.N.Thambidurai, learned Special Government Pleader, takes notice for the respondents 1 and 2.

2. By consent, the main writ petition itself is taken up for final disposal at the admission stage itself.

3. The petitioner has filed the above writ petition to issue a writ of mandamus directing the 2nd respondent to conduct an enquiry on his petition dated 03.04.2017 and take action under Section 23 (1) of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007

4. Mr.N.Manokaran, learned counsel appearing for the petitioner submitted that though the petitioner, who is the father of respondents 3 to 5 had given a petition before the

2nd respondent seeking maintenance on 03.04.2017, the 2nd respondent has not disposed of the same yet. Further, the learned counsel submitted that the parents of the respondents 3 to 5 are virtually on the streets.

5. Mr.A.N.Thambidurai, learned Special Government Pleader, appearing for the respondents 1 and 2 submitted that the 2nd respondent, who is the jurisdictional authority, may be directed to consider the petitioner's representation and pass orders in accordance with law, within a time frame.

6. Having regard to the submissions made by the learned counsel on either side, taking into consideration the limited prayer sought for by the petitioner in the writ petition, without expressing any opinion with regard to the merits of the case, I direct the 2nd respondent to consider the petitioner's representation dated 03.04.2017 and pass orders on merits and in accordance with law, especially the Maintenance and Welfare of Parents and Senior Citizens Act, 2007, within a period of four weeks from the date of receipt of a copy of this order.

With the above observation, the writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

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To

- 1 The District Collector
Namakkal District Namakkal
- 2 The Revenue Divisional
Officer/Sub Divisional Magistrate
(Maintenance Tribunal) Tiruchengode
Namakkal District.

+ 1 cc to M/s. N. Manokaran, Advocate SR.25141
+ 1 cc to Government Pleader SR.25294

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RK(CO)
Eu 4.5.17