

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.05.2017

CORAM

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

W.P. No. 11772 of 2017
&
W.M.P. No. 12747 of 2017

Kothandaraman

..Petitioner

Vs.

1. The District Collector,
Thiruvarur District,
Thiruvarur.
 2. The District Superintendent of Police,
Thiruvarur District, Thiruvarur.
 3. K. Satishkumar
 4. K. Dineshkumar
- ...Respondents

Prayer: Petition under Article 226 of the Constitution of India praying for issue of a Writ of Mandamus directing the respondents to take up the application of the petitioner under Section 5 of Maintenance and Welfare of Parents and Senior Citizens Act, 2007 (Act 56 of 2007) expeditiously within a fixed time frame.

For Petitioner :: Mr.M. Selvam

For Respondents :: Mr.A.N. Thambidurai
Special Govt. Pleader

O R D E R

The prayer in the writ petition is for issuance of a Writ of Mandamus directing the respondents to take up the application of the petitioner under Section 5 of The Maintenance and Welfare of Parents and Senior Citizens Act, 2007 (Act 56 of 2007) expeditiously within a fixed time frame.

2. The case of the petitioner is that he is a senior citizen and he has got three sons and one daughter. The petitioner further states that his eldest son, the 3rd respondent herein, is a teacher by profession, his second son, the 4th respondent herein, is employed as a Village Assistant and his youngest son is employed in a private concern. The petitioner is a farmer, who is in possession of arable land and in spite of his old age, he is continuing with his agricultural work in the said land.

3. The grievance of the petitioner is that though his sons are employed, they are not willing to contribute to the family expenses and due to some family dispute, he and his wife have been driven out of their home, by the 3rd and 4th respondents and the petitioner is no longer allowed to cultivate his land. Since the sons of the petitioner are not willing to maintain him, the petitioner submitted a representation dated 24.04.2017 to the 1st respondent, in order to avail the remedy provided under Sections 4 and 5 of Act 56 of 2007. However, so far, no action has been taken on the said representation. Hence, the present writ petition.

4. Heard Mr.M. Selvam, learned counsel for the petitioner and Mr.A.N. Thambidurai, learned Special Government Pleader, who takes notice on behalf of respondents 1 & 2 and perused the records.

5. Considering the limited scope of the relief sought and the facts and circumstances of the case, the writ petition is disposed of directing the 1st respondent to consider the representation of the petitioner dated 24.04.2017 and pass orders, on merits, in accordance with law and after providing an opportunity to respondents 3 and 4, within a period of six weeks from the date of receipt of a copy of this order. No costs. Connected W.M.P. is closed.

सत्यमेव जयते
-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

To

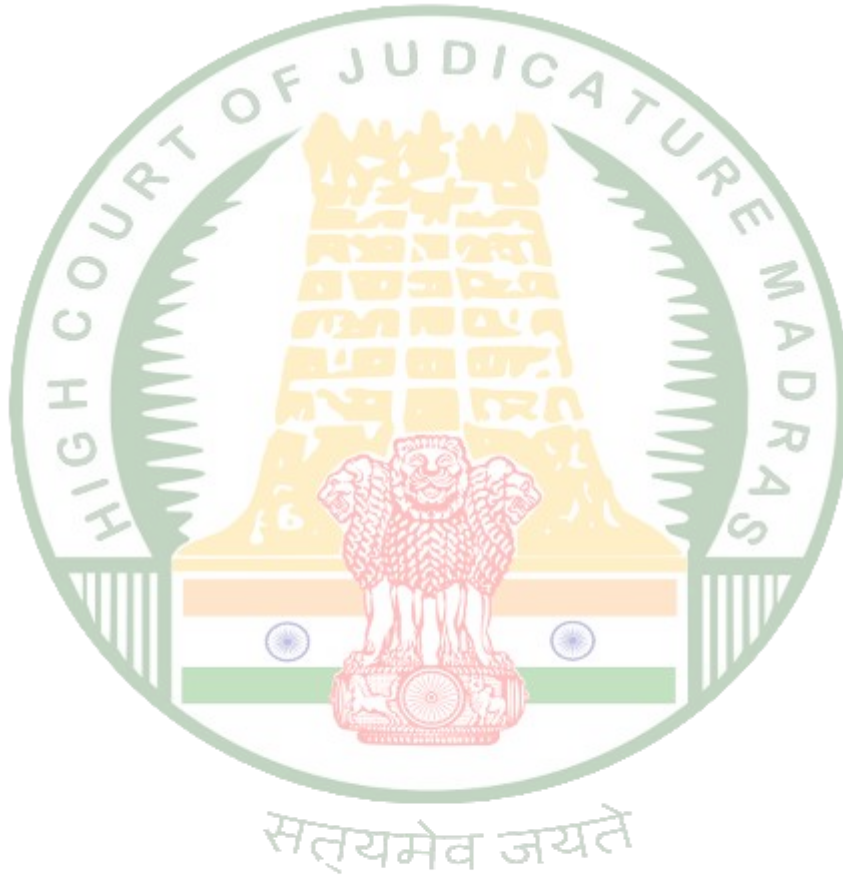
1. The District Collector,
Thiruvarur District,
Thiruvarur.

2. The District Superintendent of Police,
Thiruvarur District, Thiruvarur.

+1 CC to Mr.M. Selvam, Advocate sr 37312
+1 CC to Govt. Pleader sr 37337

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GJ(CO)
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