



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.08.2017

CORAM

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THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P. (MD) No.15277 of 2017

S.Sarbutheen

... Petitioner

Vs.

1.The District Collector,
Sivagangai District,
Sivagangai.

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

3.The Revenue Divisional Officer,
Sivagangai District,
Sivagangai.

4.Rabeek Raja

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 3rd respondent to dispose of the petition pending in his proceedings in Na.Ka.Aa.1/1937/2016 filed under Maintenance and Welfare of Parents and Senior Citizens Act, 2007 within the period that may be stipulated by this Hon'ble Court.

For Petitioner : Mr.R.Gandhi

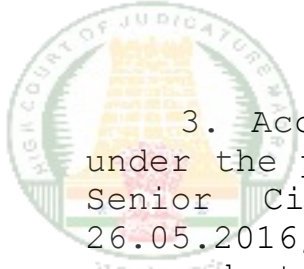
For Respondents : Mr.G.Muthukannan,

Government Advocate for R.1 to R.3

ORDER

This writ petition has been filed for issuance of a Writ of Mandamus, directing the third respondent to dispose of the petition filed by the petitioner dated 26.05.2016, under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007, within a stipulated time period.

2. Mr.G.Muthukannan, learned Government Advocate takes notice of the petition filed by the petitioner dated 26.05.2016, under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007, within a stipulated time period. By consent, the writ petition is taken up for final disposal at the admission stage itself.



3. According to the petitioner, he has filed an application under the provisions of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 before the first respondent on 26.05.2016, which, in turn was duly forwarded by the first respondent to the respondents 2 & 3, for taking necessary action. Based on the same, the third respondent subsequently initiated proceedings in Na.Ka.Aa.1/1937/2016 and also issued summons to the parties concerned for personal appearance. But, later on, there was no progress on the said application and the same has been kept pending, without any action, which forced the petitioner to file the present petition with the above prayer.

4. Considering the facts and circumstances of the case and also taking into account the limited scope of the prayer sought for by the petitioner, this Court, without going into the merits of the case, directs the third respondent to consider the application of the petitioner dated 26.05.2016 and pass appropriate orders on its own merits and in accordance with law, after affording due opportunity of hearing to the petitioner and other respective parties as well, within a period of six weeks from the date of receipt of a copy of this order.

5. With the above direction, this writ petition is disposed of. No costs.

Sd/-

ASSISTANT REGISTRAR (RECORDS)

/TRUE COPY/

SUB ASSISTANT REGISTRAR

To

1.The District Collector,
Sivagangai District, Sivagangai.

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

3.The Revenue Divisional Officer,
Sivagangai District, Sivagangai.

+1cc to M/S.R.GANDHI, Advocate SR.No.73063

+1cc to Special Government Pleader, SR.No. 72934

gk

MAS/MR-KKR/SAR2:28.08.2017:2P-6C

W.P. (MD) No.15277 of 2017
16.08.2017