



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 16.03.2017

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE V.PARTHIBAN

W.P(MD)No.4375 of 2017

L.Chellam Servai

..Petitioner

Vs

1.The District Collector,
Sivagangai District,
Sivagangai.

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

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the second respondent to dispose of the Petitioner's application dated 17.10.2016, under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 which was forwarded from the District Social Welfare Officer, Sivagangai in accordance with law within the time frame fixed by this Court.

For Petitioner :Mr.VS.Karthi
for M/s.VS.Karthi Associates

For Respondents :Mr.A.Muthukaruppan
Addl.Govt.Pleader

ORDER

The Petitioner has approached this Court seeking issuance of a Writ of Mandamus directing the second respondent to dispose of the Petitioner's application dated 17.10.2016, under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 which was forwarded from the District Social Welfare Officer, Sivagangai in accordance with law within the time frame fixed by this Court.

2.Mr.A.Muthukaruppan, learned Additional Government Pleader takes notice for the respondents.

3.By consent of both parties, the main Writ Petition is taken up for disposal, at the admission stage itself.

4.According to the Petitioner, his younger son, who is educated and working in IT Sector and earning a sizeable amount as salary is not taking care of them. According to the Petitioner, he did not have sufficient means to support themselves and therefore they



approached the authorities concerned under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007, by their application, dated 17.10.2016. The said application was also forwarded by the District Welfare Officer to the second respondent for enquiry in accordance with law and to consider the claim made by the Petitioner herein. It appears that notice was also issued for appearance of parties on 11.1.2017. Though the parties are directed to appear for enquiry, no enquiry was conducted and according to the petitioner, no other action has been taken place to consider their claim for maintenance under the above 'Act'. In these circumstances, the petitioner has approached this Court for issuance of a Writ of Mandamus for the relief stated supra.

5. The learned Additional Government Pleader appearing for the respondents has no objection to issue the direction as prayed for in the Writ Petition, within the time limit fixed by this Court.

6. Considering the limited scope of the prayer sought for by the Petitioner and without expressing any view on the merits of the claim made by the Petitioner and that the learned Additional Government Pleader appearing for the respondents has no objection to consider the representation of the Petitioner, the second respondent is directed to consider the representation of the Petitioner, dated 17.1.2016 and pass orders on the same, on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

7. With the above direction, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (AD-II)

/True Copy/

Sub-Assistant Registrar

To

1. The District Collector,
Sivagangai District,
Sivagangai.

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

+1 CC TO MR.V.S.KARTHI, ADVOCATE, SR NO.15037
+1 CC TO SPECIAL GOVERNMENT PLEADER SR NO.15587

vsn

MAS/SKN-RSK:27.03.2017:2P-5C

W.P (MD) No.4375 of 2017
16.03.2017