

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.34206 OF 2017

Dated:13.10.2017

Between:

Marisetti Srinivasa Rao, S/o. Narasimha Rao,
Hindu, Male, Aged 46 years, R/o.H.No.3B-17-11,
Senagapappu Bazar Street, Dakshinapu Veedhi,
Eluru Basthi, West Godavari .. Petitioner

And

The State of Andhra Pradesh, rep., by its
Principal Secretary, Revenue Department,
Andhra Pradesh Secretariat, Velagapudi,
Amaravathi, Guntur District and others .. Respondents



The Court made the following:

THE HON'BLE SRI JUSTICE P. NAVEEN RAO**WRIT PETITION No.34206 OF 2017****ORDER:**

Heard.

2. On a complaint filed by the senior citizen under the provisions of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 (for short, 'the Act'), the Sub Collector issued notice dated 23.09.2017. The petitioner claimed to have appeared before the Sub Collector on 04.09.2017 and also on 07.10.2017. Petitioner filed representation dated 16.09.2017. This Writ Petition is filed alleging that the competent authority is proceeding to pass orders and threatening to cancel the settlement deed dated 16.03.2015.

3. Learned counsel for the petitioner does not dispute the fact that the complainant is a senior citizen and she is the mother of the petitioner; Sub Collector is competent to receive the complaint and consider the same. If that being so, even before a decision is taken by the competent authority in accordance with the provisions of the Act, the Court cannot entertain the Writ Petition and prevent the competent authority from taking a decision. The present Writ Petition is only a pre-emptive litigation preventing the authority from acting in accordance with the Act. This Court is not inclined to entertain the Writ Petition, as it is premature.

4. The Writ Petition is accordingly dismissed leaving it open to the petitioner to work out his remedies as available in law as and when the cause of action arises. It is needles to observe that the competent authority shall duly consider the objections of the

petitioner and pass a reasoned order in support of its decision.

There shall be no order as to costs.

Miscellaneous Petitions, if any, pending in the Writ Petition shall stand closed.

P. NAVEEN RAO, J

Date:13.10.2017

Note:- Issue C.C. in one week.

(B/o)
KH

