

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.10.2018

CORAM

THE HONOURABLE MR. JUSTICE R.MAHADEVAN

W.P.No.27718 of 2018 and
W.M.P. No.32238 of 2018

Sivamurugan

.. Petitioner

Vs

1. The District Collector,
Sub-Divisional Magistrate [North]
Appellate Authority under the Maintenance
of Parents and Senior Citizens Act, 2007
Saram, Puducherry
2. The Presiding Officer,
Tribunal-I cum Sub-Divisional Magistrate [North]
under the Maintenance of parents and senior citizens
Act, 2007, Saram, Puducherry
3. The Sub-Registrar,
Sub-Registrar Office,
Oulgaret, Puducherry
4. Jothimani
5. Subburayan
6. S.Karthick
7. Mala
8. Lakshmi

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the 1st respondent to hear the 5th to 8th respondents in Appeal No.2 of 2017 preferred by the petitioner pending on the file of the 1st respondent and dispose of the same within a time frame.

For Petitioner : Mr.R.Sreedhar

For Respondents: Mr.J.Kumaran

Additional Government pleader

ORDER

By consent of both parties, the writ petition is taken up for final disposal at the admission stage itself.

2.The petitioner has come up with this writ petition seeking a direction to the 1st respondent to hear the 5th to 8th respondents in Appeal No.2 of 2017 preferred by him and dispose of the same within a time frame.

3.According to the learned counsel for the petitioner, the petitioner has filed an Appeal dated 23.08.2017 before the first respondent against the order of the second respondent relating to delivery of possession, but, the same is yet to be disposed of by the first respondent. Hence, the petitioner is before this Court.

4.Mr.J.Kumaran, learned Additional Government Pleader taking notice for the respondents, submitted that the first respondent be directed to consider the petitioner's Appeal and pass orders, in accordance with law.

5.Considering the facts and circumstances of the case and having regard to the submissions made by the learned counsel on either side, this Court directs the first respondent to consider the Appeal dated 23.08.2017 filed by the petitioner and pass appropriate orders, on merits and in accordance with law, after affording due opportunity of hearing to the petitioner, the respondents 4 to 8 as well as any of the interested parties, within a period of eight weeks from the date of receipt of a copy of this order.

6.Accordingly, this writ petition stands disposed of. Consequently, connected miscellaneous petition is closed. No costs.

s/d-
Assistant Registrar(CS VI)

True Copy

Sub-Assistant Registrar

vga

To

1. The District Collector,
Sub-Divisional Magistrate [North]
Appellate Authority under the Maintenance
of Parents and Senior Citizens Act, 2007
Saram, Puducherry

2. The Presiding Officer,
Tribunal-I cum Sub-Divisional Magistrate [North]
under the Maintenance of parents and senior citizens
Act, 2007, Saram, Puducherry

3. The Sub-Registrar,
Sub-Registrar Office,
Oulgaret, Puducherry

+1 CC to Mr.R. Sreedhar, Advocate sr 72267

+1 CC to The Govt. Pleader cum Public Prosecutor, Pondicherry sr
72126.

W.P.No. 27718 of 2018 and
W.M.P. No.32238 of 2018

KK(CO)
SP(12/11/2018)