

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 26.04.2018****CORAM:****THE HONOURABLE MR.JUSTICE M.S.RAMESH****W.P. (MD) No.9437 of 2018**

Karuppasamy

... Petitioner

vs.

1. The District Collector
Tirunelveli District
2. The Revenue Divisional Officer
Tenkasi Division, Tirunelveli District
3. The Deputy Superintendent of Police
Puliankudy, Kadayanallur Taluk
Tirunelveli District
4. The Inspector of Police
Puliankudy Police Station
Kadayanallur Taluk
Tirunelveli District

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the second respondent to consider the petitioner's application, dated 27.12.2017, within a stipulated time.

For Petitioner : Mr.V.Muthuvelan
For Respondents : Mr.S.Nagarajan
Special Government Pleader

ORDER

Mr.S.Nagarajan, learned Special Government Pleader, takes notice for the respondents.

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

3. It is the grievance of the petitioner that his application, filed under Rule-3 of the Tamil Nadu Maintenance and Welfare of Parents and Senior Citizens Rules, 2009, dated 27.12.2017, has not been considered by the second respondent till date and therefore, he has filed the present writ petition.



4. This Court has not expressed any of its view with regard to the merits of the application made by the petitioner. It is needless to point out that whenever a application of this nature is made, the respondents are duty bound to consider the same in one way or the other. Non-consideration of the same would amount to dereliction of ordinary duties of their office and as such, this Court would be justified in invoking its powers conferred under Article 226 of the Constitution of India to direct them to consider the petitioner's application within a stipulated time.

5. In view of the limited prayer sought for in this writ petition, there shall be a direction to the second respondent to consider the petitioner's application dated 27.12.2017 on its own merits and take further action in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. Such an exercise shall be done after giving due opportunity to the petitioner as well as to the persons who may be interested in the subject matter.

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

Sd/-
Assistant Registrar(W)

/True Copy/

Sub Assistant Registrar

To:

1. The District Collector,
Tirunelveli District.
2. The Revenue Divisional Officer,
Tenkasi Division, Tirunelveli District.
3. The Deputy Superintendent of Police,
Puliankudy, Kadayanallur Taluk,
Tirunelveli District.
4. The Inspector of Police,
Puliankudy Police Station,
Kadayanallur Taluk, Tirunelveli District.

+ 1 cc TO Mr.V.Muthuvelan , Advocate in SR No. 63655

krk

AE/RSK/SAR1/16.05.2018/2P/6C

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