

**HON'BLE THE CHIEF JUSTICE
SRI THOTTATHIL B. RADHAKRISHNAN**

AND

HON'BLE SRI JUSTICE S.V. BHATT

W.A.No. 1581 of 2018

JUDGMENT (Oral) : (Per Hon'ble The Chief Justice Sri Thottathil B. Radhakrishnan)

This intra-Court appeal is against an interlocutory order passed by the learned Single Judge during the course of consideration of a Writ Petition challenging the order issued by the competent authority under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 (hereinafter referred to as 'Act').

2. We have heard the learned counsel for the appellants.
3. The impugned order is only one which requires the production of the senior citizen, Sri Y. Venkateswara Rao, who is said to be in the custody of the writ appellants. Though it is pointed out that the said person is 75 years of age, we do not see any syllable of statement before the learned single Judge that he is unable to travel or is indisposed. He stays in West Godavari District. However, we see that in the Writ Appeal, there is a statement that it may not be possible for him to travel to Hyderabad.
4. These are grounds insufficient to interfere with an interlocutory order of the nature in hand, through an intra-Court appeal under Letters Patent. We may however, clarify that it will be open to the appellants to make the said person, Sri Y. Venkateswara Rao available before the learned single Judge on the expenses of the appellants, by providing adequate transit facility through such vehicle, as would be appropriate for

Sri Y. Venkateswara Rao to travel conveniently, having regard to his health condition.

5. The Writ Appeal is dismissed subject to the aforesaid observations.

There shall be no order as to costs.

As a sequel to the dismissal of the Writ Appeal, miscellaneous petitions pending, if any, shall stand closed.

THOTTATHIL B. RADHAKRISHNAN, CJ

S.V. BHATT, J

Date: 03.12.2018
DMG

