

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.04.2019

CORAM

THE HONOURABLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.6710 of 2019

Muniammal

... Petitioner

Vs

1. The District Collector,
Dharmapuri District,
Dharmapuri.
2. The Superintendent of Police,
SP Office,
Dharmapuri,
Dharmapuri District.
3. The Inspector of Police,
H.Gopinatham Patti Police Station,
Paraipatti Pudur Post,
Dharmapuri District.
4. Arumugam

... Respondents

Writ Petitions filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 1st respondent to restore possession of the property of the petitioner under the provisions of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 and the 3rd respondent to registered a case based on the complaint dated 21.01.2019.

For Petitioner : Mr.M.Devaraj

For Respondents : Mr.S.N.Parthasarathy,
Government advocate for R1 to r3
No appearance for R4

ORDER

The petitioner seeks for a Mandamus directing the first respondent to restore possession of property of the petitioner under the provision of Maintenance and Welfare of Parents and Senior Citizens Act, 2007 and register a case based on the complaint dated 21.01.2019.

2. In this writ petition, notice was ordered to the respondents and the Government Advocate appears for the respondents 1 to 3. Though the 4th respondent has engaged a counsel, there was no representation for the 4th respondent, when the matter was taken up on 02.04.2019. Hence, this Court directed the matter to be listed under the caption “for orders” by recording the absence of the counsel for the 4th respondent. Today also, there is no representation for the 4th respondent.

3. The petitioner is the mother and the fourth respondent is her son. It seems that the petitioner has given a complaint before the first respondent against the fourth respondent under the provisions of Maintenance and Welfare of Parents and Senior Citizens Act, 2007 on 21.01.2019. The grievance of the petitioner is that the said complaint has not been considered by the first respondent so far.

4. This Court, at this stage, is not expressing any view on the merits

of the complaint, as it is for the first respondent to consider and decide. Accordingly, this Writ Petition is disposed of by directing the first respondent to look into the grievance of the petitioner and pass appropriate orders on merits and in accordance with law, after hearing all the parties concerned including the 4th respondent herein. Such exercise shall be done by the first respondent within a period of eight weeks from the date of receipt of a copy of this order. No costs.

08.04.2019

Speaking/Non Speaking

Index : Yes / No

Internet : Yes / No

vsi

Note: Issue order on or before 12.04.2019.

To

1. The District Collector,
Dharmapuri District, Dharmapuri.
2. The Superintendent of Police,
SP Office, Dharmapuri,
Dharmapuri District.
3. The Inspector of Police,
H.Gopinatham Patti Police Station,
Paraipatti Pudur Post, Dharmapuri District.

K.RAVICHANDRABAABU, J.

vsi

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