



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED:17.02.2020**

**CORAM:**

**WEB COPY**

**THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA**

**W.P(MD)No.3099 of 2020**

Murugan

... Petitioner

Vs.

1) The District Collector,  
Sivagangai District,  
Collectorate,  
Sivagangai.

2) Nagasamy

... Respondents

**PRAYER:** Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the first respondent to take the petitioner's appeal dated 28.11.2019 preferred against the order in Pa.Mu(Aa1)/5939/2018 dated 12.11.2019 and signed on 22.11.2019 by the Maintenance Tribunal/Revenue Division Officer of Sivagangai under section 23(1) of the Maintenance and Welfare of Parents and Senior Citizen Act, 2007 initiated by the second respondent herein to dispose the same according to law.

For Petitioner : Mr.M.Gurudas

For Respondent : Mr.Aaiyiram K.Selvakumar,  
No.1 Additional Government Pleader

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**O R D E R**

Mr.Aaiyiram K.Selvakumar, learned Additional Government Pleader takes notice on behalf of the respondent.

2. By consent, the writ petition is taken up for disposal at the admission stage itself.

3. The writ petition has been filed by the petitioner praying for issuance of a Writ of Mandamus, directing the first respondent to take the petitioner's appeal dated 28.11.2019 preferred against the order in Pa.Mu(Aa1)/5939/2018 dated 12.11.2019 and signed on



22.11.2019 by the Maintenance Tribunal/Revenue Division Officer of Sivagangai under section 23(1) of the Maintenance and Welfare of Parents and Senior Citizen Act, 2007 initiated by the second respondent herein and to dispose the same according to law.

4. The case of the petitioner is that he preferred an appeal against the order of Maintenance Tribunal/ Revenue Divisional Officer at Sivagangai in Pa.Mu(Aa1)/5939/2018 dated 12.11.2019 and signed on 22.11.2019 before the appellate Tribunal by presenting the appeal in person on 28.11.2019, which was not taken into consideration by the first respondent. Again, the petitioner sent the appeal by registered post on 05.12.2019 and the same was received by the first respondent/ appellant Tribunal on 06.12.2019. Till date, the first respondent has not considered the representations of the petitioner and therefore, the petitioner has approached this Court by way of filing the present writ petition.

5. In view of the above, without expressing any opinion on the merits of the claim made by the petitioner, the 1<sup>st</sup> respondent is directed to consider the appeal dated 28.11.2019 and pass appropriate orders on the same, on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar ()

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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To:

The District Collector,  
Sivagangai District,  
Collectorate,  
Sivagangai.

+1 CC to Mr.M.GURUDAS, Advocate ( SR-6647[F] dated 17/02/2020 )  
+1 CC to SPL.GP ( SR-6768[F] dated 18/02/2020 )

Order made in  
**W. P (MD) No. 3099 of 2020**  
**17.02.2020**

VB(02.03.2020) 2P 4C