



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.12.2020

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. (MD)No.17376 of 2020
(Through Video Conference)

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Ramalingam

... Petitioner

Vs

1. The District Collector,
Trichy District.

2. The Revenue Divisional Officer,
Srirangam,
Trichy District.

3.Muthu

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to take necessary action on the petitioner's representation dated 16.12.2019 within the time stipulated by this Court as per the Maintenance and Welfare of Parents and Senior Citizens Act, 2007.

For Petitioner : Mr.J.Vishnu

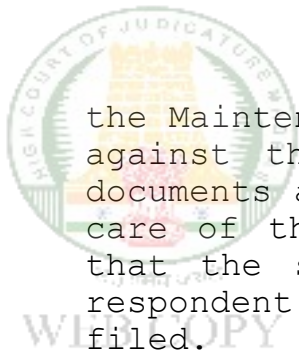
For RR 1 & 2 : Mr.A.Karthik,
Government Advocate

O R D E R

This writ petition has been filed for a Mandamus seeking for a direction to the second respondent to consider the representation dated 16.12.2019 given by the petitioner under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 seeking for cancellation of certain fabricated documents executed by the third respondent, who is his son, and for taking action against him, within the time frame to be fixed by this Court.

2. Mr.A.Karthik, learned Government Advocate accepts notice for the respondents 1 and 2. By consent of both sides, this writ petition is taken up for final disposal at the stage of admission itself.

3. It is the case of the petitioner that the third respondent has fabricated certain documents in respect of the petitioner's property at Brampatti, Brampatti Post, Marungapuri Taluk, Trichy District. It is also his case that the third respondent has not taken care of the petitioner, despite his old age. In such circumstances, he has submitted an application on 16.12.2019 under



the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 against the third respondent for cancellation of the fabricated documents and for initiating legal action against him for not taking care of the petitioner. It is the further case of the petitioner that the said application has not been considered by the second respondent. In such circumstances, this writ petition has been filed.

4. Heard Mr.J.Vishnu, learned counsel for the petitioner and Mr.A.Karthik, learned Government Advocate appearing for the respondents 1 & 2.

5. The relief sought for in this writ petition is an innocuous relief. No prejudice will be caused to the respondents if the application of the petitioner dated 16.12.2019 submitted under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 against the third respondent is considered by the second respondent on merits and in accordance with law.

6. For the forgoing reasons, this Court directs the second respondent to consider the petitioner's representation dated 16.12.2019 filed under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 against the third respondent and pass final orders on merits and in accordance with law after hearing the necessary parties, including the third respondent, within a period of twelve weeks from the date of receipt of a copy of this order.

7. With the aforesaid directions, the writ petition stands disposed of. However, there shall be no order as to costs.

Sd/-

Assistant Registrar (AD II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the Advocate / litigant concerned.

To:

1. The District Collector,
Trichy District.



2. The Revenue Divisional Officer,
Srirangam,
Trichy District.

+1 CC to M/s.GP (SR-23906[F] dated 03/12/2020)

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Order made in
W.P. (MD) No.17376 of 2020

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PU (CO)

KK(28.12.2020) 3P 4C