

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.02.2021

CORAM

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. No.3087 of 2021
and
W.M.P.No.3475 of 2021

M.Narayana Perumal

... Petitioner

Vs

1. The Revenue Divisional Officer,
Central Chennai,
Office of Revenue Divisional Office,
No.5-73, SH 112, Gandhi Nagar,
Anna Nagar West Extension,
Chennai 600 040.

2. The District Collector,
Chennai District,
Singaravelar Maligai, 4th Floor,
Rajaji Salai, Chennai 600 001

.... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus, directing the respondents to conduct the enquiry of Na.Ka.No.1942/2020/A5 under Maintenance of Parents and Senior Citizens Act and Rules by giving opportunity of hearing to the petitioner and pass an order on merits.

For petitioner ... Mr.R.Muthukumar

For respondents ... Mr.V.Shanmugasundar
Special Government Pleader

ORDER

Heard Mr.R.Muthukumar, learned counsel for the petitioner and Mr.V.Shanmugasundar, learned Special Government Pleader accepts notice on behalf of the respondents.

2. By consent of both the parties, this Writ Petition is taken up for final disposal.

3. This Writ Petition has been filed for a mandamus seeking for a direction to the respondents to conduct the enquiry in respect of the complaint given by the petitioner's mother, M.Jaya under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 after affording a fair hearing to the petitioner.

4. On instructions, Mr.V.Shanmugasundar, learned Special Government Pleader appearing for the respondents would submit that notice was ordered to the petitioner in the complaint lodged by the petitioner's mother, M.Jaya under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 and its Rules by the first respondent on 16.10.2020 for the hearing on 06.11.2020 at 11.00.am. However, the same is disputed by the learned counsel for the petitioner.

5. Admittedly, no final orders have been passed by the first respondent till date in the application filed by the petitioner's mother, M.Jaya under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 and its Rules against the petitioner. While that be so, no prejudice will be caused to the respondents, if the petitioner is afforded a fair hearing before any final orders are passed by the first respondent on the application filed by the petitioner's mother, M.Jaya under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007.

6. For the foregoing reasons, this Court directs the first respondent to pass final orders on the application filed by the petitioner's mother, M.Jaya against the petitioner under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 and its Rules, on merits and in accordance with law, after affording a fair hearing to the petitioner including granting him the right of personal hearing, within a period of twelve weeks from the date of receipt of a copy of this order.

7. With the aforesaid direction, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

srn
To

1. The Revenue Divisional Officer,
Central Chennai,
Office of Revenue Divisional Office,
No.5-73, SH 112, Gandhi Nagar,
Anna Nagar West Extension,
Chennai 600 040.

2. The District Collector,
Chennai District,
Singaravelar Maligai, 4th Floor,
Rajaji Salai, Chennai 600 001.

+1cc to Mr.R.Muthukumar, Advocate Sr.8734

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pa[co]
srg 09/03/2021



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