



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 08.07.2021

Coram

The Honourable Mr. Justice R.MAHADEVAN

W.P.No.14111 of 2021

T.S.Mylsamy

...Petitioner

Versus

The District Collector,
Coimbatore.

...Respondent

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the respondent to dispose the appeal filed by the petitioner in appeal dated 30.09.2019 pending before the respondent within a specified period of time.

For Petitioner : Mr.C.Deivasigamani

For Respondent : Mr.G.Krishnaraja,
Government Advocate

O R D E R

Mr.G.Krishnaraja, learned Government Advocate takes notice for the respondent. With the consent of both sides, this writ petition is taken up for final disposal at the admission stage itself.

2. The present writ petition has been filed by the petitioner seeking a mandamus directing the respondent to dispose of the appeal dated 30.09.2019 filed by him, within a specific time to be fixed by this Court.

3. The case of the petitioner is that he has a property dispute with his sons. Therefore, he filed a petition under Section 5 of the Maintenance and Welfare of the Parents and Senior Citizens Act 2007 (hereinafter referred to as 'Act'), before the Revenue Divisional Officer (RDO), Coimbatore, however, the same was dismissed on 12.09.2019. As against the dismissal of the said petition, the petitioner filed an appeal under Section 16 of the Act before the respondent herein and the same is pending for more than three years. Hence, he has filed the present writ petition before this Court for the relief stated supra.



4. Heard the learned counsel on both sides and perused the materials placed before this Court.

5. Considering the limited prayer sought by the petitioner, this Court, without going into the merits of the case, directs the respondent to consider the appeal dated 30.09.2019 filed by the petitioner, if not considered earlier, and pass appropriate orders, on merits and in accordance with law, after affording an opportunity of personal hearing to the petitioner as well as any other interested parties, within a period of eight weeks from the date of receipt of a copy of this order.

6. This Writ Petition is disposed of with the above direction. No costs.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

mrr

To

The District Collector,
Coimbatore.

+1cc to the Government Pleader, Advocate, Sr.32607

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NSK 20/09/2021