

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.01.2021

CORAM

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.No.16455 of 2020

S.Mehrunisha

...Petitioner

Vs

1. The District Collector,
Chennai District,
Singaravelar Maligai,
Chennai - 600 001.

2. The Sub Divisional Magistrate and
Revenue Divisional Officer,
South Chennai Division,
Guindy, Chennai 600 032.

3. Mohammed Imthias

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India seeking for an issuance of a writ of mandamus directing the second respondent to complete the enquiry on the complaint of the petitioner in Application No.A1/633/2019 dated 24.09.2019 and pass appropriate orders, within a time frame fixed by this Court.

For Petitioner : Mr.R.Prasad

For Respondents-1&2 : Mr.K.Parameshwaran
Govt.Advocate

For Respondent-3 : Mr.N.A.Nissar Ahmed

ORDER

This writ petition has been filed for a mandamus seeking for a direction to the second respondent to complete the enquiry on the complaint given by the petitioner under the Tamil Nadu Maintenance and Welfare of Parents and Senior Citizens Rules, 2009 on 24.09.2019 and pass final orders within a time frame to be fixed by this Court.

2. It is the case of the petitioner that she has filed an application against the third respondent, who is her son, under the Tamil Nadu Maintenance and Welfare of Parents and Senior Citizens Rules, 2009. According to the petitioner, the third respondent has not maintained her and in such circumstances, she

had to file the application. It is her case that even though the application was filed as early as on 23.08.2018, the same has not been disposed of by the second respondent. In such circumstances, this Writ Petition has been filed.

3. Heard Mr.R.Prasath, learned counsel for the petitioner, Mr.K.Parameshwaran, learned Government Advocate appearing on behalf of the respondents 1 and 2 and Mr.N.A.Nissar Ahmed, learned counsel for the respondent-3.

3. 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 23.08.2018 filed against the third respondent is considered by the second respondent on merits and in accordance with law expeditiously, after hearing the necessary parties including the third respondent.

4. For the foregoing reasons, this Court directs the second respondent to pass final orders on merits and in accordance with law in the application filed by the petitioner against the third respondent on 23.08.2018 under the Tamil Nadu Maintenance and Welfare of Parents and Senior Citizens Rules, 2009, after affording sufficient opportunity to all the necessary parties including the petitioner as well as the third respondent, within a period of 12 weeks from the date of receipt of a copy of this order.

5. With the aforesaid direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

srn
To

1. The District Collector,
Chennai District,
Singaravelar Maligai,
Chennai - 600 001.
2. The Sub Divisional Magistrate and
Revenue Divisional Officer,
South Chennai Division,
Guindy, Chennai 600 032.

+1cc to M/s.N.A.Nissar Ahmed, Advocate, S.R.No.730

+1cc to Mr.R.Prabhavathy, Advocate, S.R.No.816

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