



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.09.2021

WEB COPY

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THE HONOURABLE MR. JUSTICE R. MAHADEVAN

W.P. No. 18967 of 2021

M. Samiyappan

.. Petitioner

Versus

1. The District Collector
Erode District, Erode

2. A. Marappan

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the first respondent to consider and pass order of the representation of the petitioner dated 12.03.2021 under the Maintenance and Welfare of Parents and Senior Citizenship Act 2007 as against the 2nd Respondent and his family members within stipulated time to be fixed by this Hon'ble Court

For Petitioner : Mr. M. Prabakaran

For Respondents : Mr. G. Krishnaraja (For R1)
Government Counsel

O R D E R

Mr.G.Krishnaraja, learned Government Counsel, takes notice for the first respondent. By consent of both the parties, this writ petition is taken up for final disposal at the time of admission itself.

2. According to the petitioner, after the demise of his wife, the second respondent and his family members were maintaining and taking care of the petitioner, as the second respondent is his wife's brother. Pursuant to the same, the petitioner decided to settle his wife property at Door No.3/276-2, Saravanan Nagar, Udukuli Road, Sennimalai Town, Perunthurai Taluk, Erode District, to the second respondent's daughter and



accordingly, he did so by executing a settlement deed bearing Doc. No. 2703/2018 on 19.09.2018. Thereafter, the second respondent failed to take care of the petitioner and he neglected to provide the basic needs to him. So, the petitioner left out of his house and is living separately and subsequently, sent a representation to the first respondent on 12.03.2021, requesting to take action against the second respondent and his family members under the provisions of the Maintenance and Welfare of Parents and Senior Citizen Act, 2007. However, no action has been taken on the same, till date. Therefore, the petitioner has come up with this writ petition seeking appropriate direction to the first respondent in this regard.

3. Heard both sides and perused the materials placed before this court.

4. Considering the limited relief sought in this writ petition, this court, without going into the merits of the case, directs the first respondent to consider the petitioner's representation dated 12.03.2021 and pass appropriate orders, on merits and in accordance with law, after affording reasonable opportunity of hearing to the petitioner, within a period of eight weeks from the date of receipt of a copy of this order.

5. With the aforesaid direction, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar(CS-VII)

//True Copy//

Sub Assistant Registrar

dhk

To

The District Collector
Erode District
Erode

+1cc to M/s.R.Murugabharathi, Advocate, S.R.No.45806

+1cc to the Government Pleader, S.R.No.46146

W.P. No. 18967 of 2021

RR(CO)
SB(18/10/2021)