



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.09.2021

CORAM

THE HONOURABLE MR. JUSTICE R.MAHADEVAN

W.P. No.18246 of 2021

Chinnammal

.. Petitioner

Versus

1. The Revenue Divisional Officer
RDO Office, Tiruppur - 641601
Tiruppur District

2. R. Thirumoorthy

.. 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 pass appropriate orders on the petitioners maintenance application dated 24.11.2020 within stipulated time period as may be fixed by this Court.

For Petitioner : Mr. T. Sundaravadanam
For Respondents : Mr. Stalin Abhimanyu
Government Counsel

O R D E R

Mr.Stalin Abhimanyu, 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. The present writ petition has been filed seeking a direction to the first respondent to pass appropriate orders on the petitioner's maintenance application dated 24.11.2020.

3. According to the petitioner, she is a senior citizen, having four daughters and a son / 2nd respondent herein and her husband passed away on 27.12.2013. After the demise of her husband, the second respondent took over his father's business and the properties at S.No.26/1C, Site No. 36, Andipalayam Village, Tiruppur South Taluk, Tiruppur District measuring to an extent of 2609 sq.ft., which stands in the name of his mother. Thereafter, he failed to maintain his mother / petitioner and made her to live in a rented house. The petitioner further averred that while she was taking treatment in the hospital due



to her ill health, the second respondent refused to meet the medical expenses and her daughters alone extended the support to her and are taking care of her for the past 7 years. In such circumstances, the petitioner submitted an application dated 24.11.2020 to the first respondent seeking maintenance under the provisions of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007. On receipt of the same, the first respondent issued summons calling upon the parties to appear for enquiry. Pursuant to the same, the petitioner appeared for enquiry and produced the necessary documents in support of her claim, whereas the second respondent did not turn up, due to which, no order was passed by the first respondent till date. Feeling aggrieved, the petitioner has come up with this writ petition for the aforesaid relief.

4. Heard both sides. Considering the limited relief sought for in this writ petition, this court, without going into the merits of the case, directs the first respondent to pass orders on the petitioner's application dated 24.11.2020, pursuant to the enquiry conducted on 21.12.2020 and 11.02.2021, on merits and in accordance with law, after affording an opportunity of hearing to the petitioner as well as the second respondent, 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 IX)

//True Copy//

Sub Assistant Registrar

dhk
To

The Revenue Divisional Officer
RDO Office, Tiruppur - 641601
Tiruppur District

+1CC to Mr.T.Sundaravadanam, Advocate, Sr.No.44095
+1CC to the Government Pleader, Sr.No.44591

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KG (CO)
K.RK. (05.10.2021)