

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.01.2021

CORAM

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. No.20417 of 2020

S.Rajendran

...Petitioner

Vs

The Revenue Divisional Officer -cum-
Adjudicating Authority
Ambattur Revenue Divisional Office,
Ambattur,
Thiruvallur District.

...Respondent

Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus directing the respondent to number the application, dated 19.10.2020 filed by the petitioner under Rule 3 of the Tamil Nadu Maintenance and Welfare of Parents and Senior Citizens Rules, 2009.

For petitioner ... Mr.A.E. Ravichandran
For respondent ... Mr.V.Prabhu,
Government Advocate

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the respondent to number the application, dated 19.10.2020 filed by the petitioner under the Tamil Nadu Maintenance Welfare and Seniors Citizens Rules, 2009, within a time frame to be fixed by this Court.

2. It is the case of the petitioner that he is a senior citizen and his son has not been maintaining him. It is also his case that a settlement deed has been executed in favour of his son on 23.11.2006 which has been registered as Document No.6384 of 2006 on the file of the SRO, Virugambakkam. Despite the execution of settlement deed and despite giving other benefits to his son, the case of the petitioner is that his son has not been maintaining him. In such circumstances, he has filed an application on 19.10.2020 under the Tamil Nadu Maintenance Welfare and Seniors Citizens Rules, 2009, before the respondent. It is the case of the petitioner that till date, the said application has not been numbered. The petitioner claims that he is aged 71 years and therefore, the application has to be disposed of expeditiously by the respondents. In such circumstances, this writ petition has been filed.

3. Heard Mr.A.E.Ravichandran, learned counsel for the petitioner and Mr.V.Prabhu, learned Government Advocate accepts notice on behalf of the respondent. By consent of both the parties, this writ petition is taken up for final disposal at the time of admission itself.

4. The relief sought for in this writ petition is an innocuous relief. No prejudice will be caused to the respondent, if the application of the petitioner filed under Tamil Nadu Maintenance Welfare and Seniors Citizens Rules, 2009 is numbered and disposed of expeditiously.

5. Further the petitioner is aged 71 years and his contention is that his son has not maintaining him properly despite he has been provided with property and other benefits.

6. For the foregoing reasons, this Court directs the respondent to number the application filed by the petitioner on 19.10.2020 under the Tamil Nadu Maintenance Welfare and Seniors Citizens Rules, 2009 and dispose of the said application after providing sufficient opportunity to the petitioner's son / respondent in the said application, 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.

Sd/-

Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

VSI2

To

The Revenue Divisional Officer -cum-

Adjudicating Authority

Ambattur Revenue Divisional Office,

Ambattur,

Thiruvallur District.

+1cc Mr.A.E.Ravichandran, Advocate in SR.NO..374

+1cc to the Government Pleader, in SR.NO..906

W.P. No.20417 of 2020

NMI (CO)

rv(03/02/2021)