



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.11.2021

CORAM

THE HONOURABLE MR. JUSTICE R. MAHADEVAN

W.P. No. 23438 of 2021

S. Palani

.. Petitioner

versus

1.The District Collector,
Thiruvallur District.

2. The District Revenue Officer,
Thiruvallur District.

3. The Revenue Divisional officer,
Thiruvallur District.

4. The Tahsildar
Thiruvallur District

5. Mr.Vijayaraghavan @ V.Mohammed Asif

6. Mrs.Sharmila Banu

7. Mr.S.Shafiq Ahamed

8. Shoukath Ahamed

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for a Writ of Mandamus to direct the first respondent to consider the petitioner's representation dated 27.09.2021 under section 4 and 5 of Maintenance and Welfare of Parent and Senior Citizens Act 2007 within a time frame fixed by this Court.

For Petitioner : Mr. M. Selvam

For Respondents : Mr. G. Krishnaraja,
Government Counsel for RR1 to 4

O R D E R

The petitioner has filed this writ petition seeking to issue a Writ of Mandamus to direct the first respondent to consider his representation dated 27.09.2021 under sections 4 and 5 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 within a time limit to be specified by this Court.

2. According to the petitioner, he is a senior citizen, aged 68 years. He and his wife P.Gowri, were blessed with a son and daughter viz., P.Narendan and K. Lalitha respectively



and their son P.Narendran died in the month of April 2010. Thereafter, the petitioner treated his relative's son viz., one Vijayaraghavan @ V.Mohammed Asif, fifth respondent herein, as his own son. The sixth, seventh and eighth respondents are wife, brother-in-law and father-in-law of the fifth respondent respectively. The fifth respondent had maintained cordial relationship with the petitioner and his family members. While so, in the year 2015, the fifth respondent approached the petitioner and stated that the 7th and 8th respondents were intending to purchase the Plot bearing No.349, Sakthi Towers, MRH Road, B Block, First Floor, Madhavaram, Chennai and requested the petitioner to pay a sum of Rs.17,00,000/-. The fifth respondent not only promised to maintain the petitioner and his wife properly, but also assured to repay the amount within a period of six months. The petitioner reluctantly paid the said sum of Rs.17,00,000/- from and out of his retirement benefits on various dates from August 2015 to January 2016. Though the fifth respondent purchased the flat in the name of the seventh respondent, he failed to repay the amount to the petitioner. He also threatened the petitioner with dire consequences, Hence, the petitioner submitted a representation on 27.09.2021 to the first respondent to initiate appropriate action against the respondents 5 to 8, copies of the same were sent to the respondents 2 to 4. However, the respondents 1 to 4 did not take any action on his representation, which compelled the petitioner to file this writ petition for the aforesaid relief.

3. Heard Mr. M. Selvam, learned counsel appearing for the petitioner and Mr. G. Krishnaraja, learned Government counsel, who accepts notice on behalf of the respondents 1 to 4.

4. Considering the above facts and circumstances of the case and having regard to the submissions made by the learned counsel on either side, this court directs the respondent authorities to consider the representation of the petitioner dated 27.09.2021 and pass orders on the same, on merits and in accordance with law, after giving due opportunity to the petitioner as well as the respondents 5 to 8, within a period of six weeks from the date of receipt of a copy of this order.

5. This writ petition is disposed of with the above direction. No costs.

Sd/-
Assistant Registrar(CS-VII)

//True copy//

Sub Assistant Registrar



To

1. The District Collector,
Thiruvallur District.

2. The District Revenue Officer,
Thiruvallur District.

3. The Revenue Divisional officer,
Thiruvallur District.

4. The Tahsildar,
Thiruvallur District.

+1cc to Mr.M.Selvam, Advocate SR.No.56808

+1cc to Government Pleader SR.No.57172

WP No. 23438 of 2021

SVI (CO)
GMY (03/12/2021)