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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.11.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.23675 of 2021

M.Kuthan @ Sivakumar

... Petitioner

Vs.

1. The District Collector,
Villupuram,
Villupuram District.

2. The Revenue Divisional Officer,
(Senior Citizen and Maintenance Welfare Tribunal),
Villupuram,
Villupuram District.

3. S.Sathya

4. S.Santhakumar

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 2nd respondent to dispose off the petition dated 24.4.2021 filed by the petitioner under Maintenance and Welfare of Parents and Senior Citizen Act of 2007 within stipulated period of time granted by this Honourable Court.

For Petitioner : K.Myilsamy

For Respondents : Mr.M.R.Gokulakrishnan
Government Advocate for Respondent

O R D E R

The petitioner has filed this writ petition seeking issuance of Writ of Mandamus directing the 2nd respondent to dispose off the petition dated 24.4.2021 filed by the petitioner under Maintenance and Welfare of Parents and Senior Citizen Act of 2007 within stipulated period of time granted by this Honourable Court.



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2. Mr.M.R.Gokulakrishnan, learned Government Advocate takes notice for the first and second respondent. In view of the limited relief sought for in this petition, On the consent expressed by the Learned counsel appearing for either side, this petition is taken up for final disposal.

3. The case of the petitioner is that the petitioner is a Senior citizen and has crossed the age of 62 years. The petitioner after demise of his first wife, he married the 3rd respondent. Out of their wedlock, the 4th respondent and one Sarathkumar were born. The petitioner is a mason and out of the income derived from the construction works, he satisfied the basic needs of the family without any default. Due to ageing and tough construction works, the petitioner is now suffering from various health ailments and unable to do works. The petitioner had executed two separate settlement deeds in favour of the 3rd and 4th respondents. After obtaining the settlement deed, the respondents have been neglecting the petitioner and refusing to take care of him. Hence, the petitioner filed this petition under the Maintenance and Welfare of Parents and Senior Citizens Act before the 2nd respondent on 24.04.2021 seeking for maintenance and cancellation of settlement deeds, which was not disposed even after lapse of statutory period of 90 days for disposing a case. Hence, this present petition is filed.

4. Though very many grounds have been raised, learned counsel for the petitioner submits that it would suffice if this Court issues direction to the 2nd respondent to consider the petitioner's representation dated 24.04.2021 and pass orders on the same within a particular time frame fixed by this Court.

5. The learned Government Advocate has no objection for said order being passed.

6. In view of the aforesaid submissions, this Court without expressing any opinion on the merits of the case directs the 2nd respondent to consider the petitioner's representation dated 24.04.2021 on merits and in accordance with law and pass appropriate orders, within a period of twelve weeks from the date of receipt of a copy of this order. This writ petition is accordingly disposed of. No costs.

Sd/-
Assistant Registrar (CS V)

//True Copy//

Sub Assistant Registrar

skt



To

1. The District Collector,
Villupuram,
Villupuram District.

2. The Revenue Divisional Officer,
(Senior Citizen and Maintenance Welfare Tribunal),
Villupuram,
Villupuram District.

+1CC to Mr.Government Pleader, Sr.No.57965

W.P.No.23675 of 2021

KSM (CO)
K.RK. (29.11.2021)