



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.12.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.25735 of 2021

S. Govindarajulu

... Petitioner

Vs.

1. The District Collector,
Office of the District Collector,
Kallakurichi District.

2. The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Thirukovilur, Kallakurichi District.

...Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 2nd Respondent herein to pass orders on the Application made by the Petitioner dated 23.04.2021 Under Section 5 and Section 23 of The Maintenance and Welfare of Parents and Senior Citizens, Act 2007.

For Petitioner : Mr.Venkataswamy Babu

For Respondents : M/s.C.Sangamithirai
Special Government Pleader

O R D E R

The petitioner has filed this writ petition seeking issuance of Writ of Mandamus to direct the 2nd Respondent to consider and pass orders on the Application made by the Petitioner on 23.04.2021 Under Section 5 and Section 23 of The Maintenance and Welfare of Parents and Senior Citizens, Act 2007.

2.The case of the petitioner is that he owned a punja land measuring 3.4 acres in Survey No.48/11, 48/8, 49/90 and 48/10 and he settled the same to his son namely Ramesh Kumar on 29.12.2008 through settlement deed No.2627 of 2008. Thereafter, the petitioner's son ignored the petitioner and also failed to maintain them, due to which the petitioner and his wife suffered a lot. Hence, the petitioner filed an application before the 2nd



respondent on 23.04.2021 to take action against his son under Section 5 and Section 23 of the Maintenance and Welfare of Parents and Senior Citizens Act 2007 and also to the 1st respondent and in reply, the 1st respondent herein directed the 2nd respondent by a proceeding dated 18.05.2021 to pass on the petitioner's application. However, till date the 2nd respondent has not disposed the petitioner's application. Hence, this writ petition.

3.The learned counsel appearing for the petitioner submits that without going into the merits of the case, it would suffice, if this Court issues direction to the 2nd respondent to consider the petitioner's application under Section 5 and Section 23 of the Maintenance and Welfare of Parents and Senior Citizens Act 2007 and to pass appropriate orders as early as possible.

4. The learned counsel for the respondents submitted that already summon has been issued to the petitioner's son and fixed appointment on 04.10.2021. He further submitted that the issue would be considered within the time stipulated by this Court

5. Heard the arguments advanced on either side.

6. Recording the submissions made by the learned counsel for the respondents, as already summon has been issued to the petitioner's son, this Court without going into the merits of the case, issues direction to the 2nd respondent to consider the petitioner's application and pass appropriate orders in accordance with law within a period of twelve weeks from

the date of receipt of a copy of this order after providing opportunity to the petitioner's son, though he is not a party in this Writ petition.

7.Accordingly, this Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS-VI)

//True copy//

Sub Assistant Registrar

skt

To

1. The District Collector,
Office of the District Collector,
Kallakurichi District.



2. The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Thirukovilur, Kallakurichi District.

WEB COPY

+1cc to Government Pleader SR.No.64855

W.P.No.25735 of 2021

SSI (CO)
GMY (07/01/2022)