



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **19.07.2021**

CORAM:

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD).No.12191 of 2021

Gomathi Ammal

... Petitioner

Vs.

1.The District Collector,
Tirunelveli District,
Tirunelveli.

2.The Revenue Divisional Officer,
O/o.District Collectorate,
Tirunelveli District.

3.Marimuthu

4.M.Muthulakshmi

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, for the issuance of Writ of Mandamus, directing the 2nd respondent herein to conduct enquiry on the petition, dated 12.02.2021 given by the petitioner before the 2nd respondent, as per Section 23 of the Maintenance and Welfare of the Parent and Senior Citizen Act, 2007, as this Hon'ble Court may deem fit and proper in the circumstances of the case.

For Petitioner : Mr.M.Sankar
For R1 & R2 : Mr.M.Lingadurai,
Government Advocate

ORDER

This Writ Petition has been filed for the issue of a Writ of Mandamus directing the second respondent to consider the application made by the petitioner on 12.02.2021, wherein, the petitioner has sought for taking action against the third and fourth respondents under the Maintenance and Welfare of the Parent and Senior Citizen Act, 2007.

2. Heard Mr.M.Sankar, learned counsel appearing for the petitioner and Mr.M.Lingadurai, learned Government Advocate appearing for the respondents 1 and 2.

3. The case of the petitioner is that she is the senior citizen and believing her children, she had executed a gift deed and conveyed the property in favour of the the third respondent. According to the petitioner, she had been left in lurch. Therefore, necessary application has been filed before the second respondent under Section 23 of the Maintenance and Welfare of the Parent and



Senior Citizen Act, 2007. Since the same was not considered, the present Writ Petition has been filed before this Court seeking for necessary directions.

4. Taking into consideration the facts and circumstances of the case and the limited relief sought for in this Writ Petition, there shall be a direction to the second respondent to deal with the petition filed by the petitioner on 12.02.2021 on its own merits and in accordance with law after affording opportunity to the petitioner and the respondents 3 and 4 and pass final orders within a period of six (6) weeks from the date of receipt of a copy of this order.

5. The petitioner is directed to make a fresh representation to the second respondent along with all the relevant documents and also a copy of this order.

6. This Writ Petition stands disposed of with the above directions. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

tsg

NOTE: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The District Collector,
Tirunelveli District,
Tirunelveli.

2.The Revenue Divisional Officer,
O/o.District Collectorate,
Tirunelveli District.

+1 CC to M/s.GP (SR-23339[F] dated 20/07/2021)

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