



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.09.2021

CORAM

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P(MD).No.15991 of 2021

Kuttralam

... Petitioner

Vs.

1.The District Collector,
Virudhunagar District,
Virudhunagar

2.The Superintendent of Police,
Virudhunagar District.

3.The Sub Collector/ Revenue
Divisional Officer,
Authority under the Maintenance and
welfare of Parents and Senior Citizens Act, 2007.
Sivakasi Revenue Division,
Virudhunagar District.

4.The District Social Welfare Officer,
Virudhunagar District,
Virudhunagar.

5.The Inspector of Police,
Sattur Police Station,
Virudhunagar District.

6.Thavittu Nadar @ Thavittu Raja

7.Periyandavar

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondent No.3 to consider the petitioner's representation dated 18.02.2021 and to take suitable action against the respondents No.6 and 7, in accordance with law within the stipulated time.

For Petitioner : Mr.R.Alagumani

For Respondents : Mr.K.S.Selva Ganesan

Counsel for the State for R1 to R5

ORDER

The petitioner seeks a direction to the third respondent to take action on the representation dated 18.02.2021 against the 6th and 7th respondents herein in accordance with the Maintenance and Welfare of Parents and Senior Citizens Act 2007.



2. The petitioner states that he is a senior citizen aged about 70 years. He states that he resides at the property bearing No.3/26 Iyengar Vinayagar Kovil Street, Chocknathanaputhur Post, Rajapalayam. He has three sons and one daughter. The 6th respondent is his elder son and the 7th respondent is his grandson. The petitioner alleges that his sons and daughters have failed to take care of him. It is also alleged that on 25.10.2020, the 6th and the 7th respondents trespassed into his house by breaking the lock. Therefore, the petitioner lodged a complaint on 26.10.2020 with the 5th respondent. On 27.10.2020, the 6th and 7th respondents are alleged to have also stolen goods from his house. The representation dated 18.02.2021 was submitted for necessary action in terms of the Maintenance and Welfare of Parents and Senior Citizens Act 2007 and the rules framed thereunder.

3.Mr.K.S.Selvaganesan, learned counsel for the State, accepts notice on behalf of respondents 1 to 5. On instructions, he submits that the petitioner's representation has been forwarded to the third respondent who is the designated authority for such purpose under the Senior Citizens Act.

4. Accordingly, without going into the merits of the matter, the third respondent is directed to consider the representation dated 18.02.2021 and dispose of the same by a reasoned order after providing a reasonable opportunity to the petitioner, the 6th and 7th respondents herein and any other person who would be affected by any decision in such regard. Such reasoned order shall be issued within a period of two months from the date of receipt of a copy of this order.

7. W.P.(MD).No.15991 of 2021 is disposed of on these terms without any order as to costs.

Sd/-

Assistant Registrar (P&A)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

sbm

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,
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Virudhunagar District,
Virudhunagar.

5.The Inspector of Police,
Sattur Police Station,
Virudhunagar District.

+1 CC to M/s.GP (SR-28828[F] dated 13/09/2021)

+1 CC to M/s.R.ALAGUMANI, Advocate (SR-28651[F] dated 09/09/2021)

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