



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.12.2021

CORAM

THE HONOURABLE MR.JUSTICE **C.V.KARTHIKEYAN**

W.P. (MD)No.21356 of 2021

and

W.M.P. (MD)No.17911 of 2021

WEB COPY

George

... Petitioner

vs.

1.The Sub Collector/Revenue Divisional Officer,
Padmanabhapuram, Thuckalay,
Kanyakumari District.

2.The Superintendent of Police,
Kanyakumari District at Nagercoil.

3.Sonia

4.Muthukrishnan

5.Rajakumari

6.Lavanya

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the first respondent to expedite the enquiry on the petitioner's petition, dated 03.05.2021 filed under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 and complete the same within the time stipulated by this Court and to restore the petitioner's possession of the property having an extent of 9.5 cents in Re.S.No.309/8 situated at Nallur Village, Marthandam Post, Kanyakumari District and the house therein bearing Door No.4/54E (Pandanthalparai Vilai).

For Petitioner :Mr.M.R.Sreenivasan

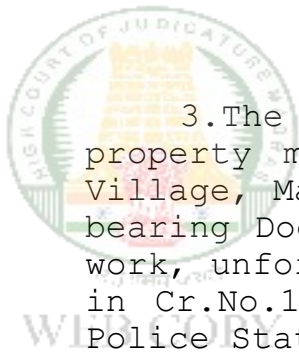
For Respondents :Mr.S.Kameswaran

Government Advocate

O R D E R

The Writ Petition has been filed in the nature of Mandamus seeking a direction to the first respondent/Sub Collector/Revenue Divisional Officer, Padmanabhapuram, Thuckalay, Kanyakumari District, to conduct an enquiry in the petition, dated 03.05.2021 filed under Maintenance and Welfare of Parents and Senior Citizens Act, 2007, and complete the enquiry.

2.Heard Mr.M.R.Sreenivasan, learned Counsel for the petitioner and Mr.S.Kameswaran, learned Government Advocate for R1 and R2.



3.The petitioner is a senior citizen and is the owner of the property measuring 9.5 cents in Re.S.No.309/8 situated at Nallur Village, Marthandam Post, Kanyakumari District and the house therein bearing Door No.4/54E (Pandanthaparai Vilai). His son, who went on work, unfortunately did not return back. He is still missing. An FIR in Cr.No.1194 of 2020 had been filed on the file of the Solaiyur Police Station and an investigation is pending.

4.The third respondent is the daughter-in-law of the petitioner. She had given a complaint before the All Women Police Station, Marthandam on 08.02.2021 and the petitioner and his wife were called for enquiry. In the meanwhile, the petitioner had also given an application under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007, to the first respondent. By this Writ Petition, the petitioner seeks disposal of the same.

5.Notice had been directed on the earlier occasion to the respondents 3 to 6. I am informed that notice had been issued. More importantly, Mr.S.Kameswaran, learned Government Advocate, who took notice on behalf of R1 and R2, informed that the first respondent would dispose of the petition within a period of four weeks.

6.Accordingly, instead of keeping the Writ Petition pending before this Court, a direction is given to the first respondent/Sub Collector/Revenue Divisional Officer, Padmanabhapuram, Thuckalay, Kanyakumari District, to proceed further with the enquiry in the petition of the petitioner, dated 03.05.2021, issue notice of hearing to the petitioner and also to the named respondents therein and after hearing all the parties and examining the records produced by the parties, to pass a considered order on or before 31.01.2022.

7.With the said observations, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

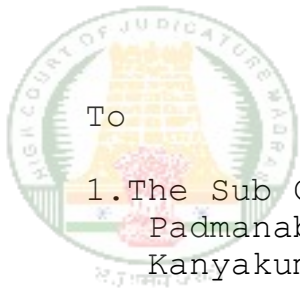
Assistant Registrar (CS-I)

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/ /2021

Sub Assistant Registrar(CS)

cmr



To

1.The Sub Collector/Revenue Divisional Officer,
Padmanabhapuram, Thuckalay,
Kanyakumari District.

2.The Superintendent of Police,
Kanyakumari District at Nagercoil.

+1 CC to M/s.SPL GP (SR-37907[F] dated 09/12/2021)

+1 CC to M/s.M.R.SREENIVASAN, Advocate (SR-38035[F] dated
09/12/2021)

W.P. (MD) No.21356 of 2021
08.12.2021

PS (CO)

KB(21.12.2021) 3P 5C